

The
American Historical Review

THE MEETING OF THE AMERICAN HISTORICAL
ASSOCIATION AT INDIANAPOLIS

INDIANAPOLIS is not a great university centre, though it has a good suburban college and excellent schools. Though a pleasant and hospitable city, it has not much distinguished architecture nor many impressive "sights". It presented little to divert the mind of the historical student from the sessions and the company of his colleagues, nor was that mind distracted (while enlarged) by the simultaneous meetings of non-historical societies. On the other hand, Indianapolis is a railroad centre conveniently reached from a great region abounding in members of the historical fraternity, and the hotel chosen as headquarters was so well arranged as to give every opportunity both for sessions and for sociability. Accordingly, the number of members registered was unusually large, 290, and by general agreement the convention was more than usually successful. The presence of large numbers of the younger men and women was especially observed.

The credit for all this success belongs primarily to the Committee of Local Arrangements, of which Mr. Calvin Kendall was chairman and Professor Christopher B. Coleman of Butler College secretary, and to the Committee on the Programme, Professor Evarts B. Greene of the University of Illinois chairman. But cordial appreciation is also due, for additional pleasures, to those hospitable citizens of Indianapolis who provided the agreeable reception at the John Herron Art Institute and the "smoker" at the University Club, to Mrs. E. C. Atkins, who received the ladies on one of the afternoons, and to the three clubs which threw open their doors to the visitors. There was also a subscription luncheon, with speaking, on the last day, and a variety of informal breakfasts of those who had been trained at the same university or were interested in the same branch of historical work. Noteworthy among similar occasions was a

dinner given in honor of Professor Frederick J. Turner, president of the Association, by his former pupils at the University of Wisconsin, who marked the occasion by the presentation of a volume of historical studies, *Essays in American History, dedicated to Frederick Jackson Turner*, of which any teacher might well be proud.

It must be noted, as a further mark of the success of the meeting, that nearly all the practical conferences of workers in special fields were attended by increased numbers and characterized by interesting proceedings and, in some cases, valuable permanent results.

The economists and the students of political science held their meeting this year in St. Louis. The allied societies which met with the American Historical Association were bodies whose interest is likewise in history—the Mississippi Valley Historical Association, the Ohio Valley Historical Association, and the North Central History Teachers' Association. Sessions of these bodies preceded that of the national organization. Tuesday evening, December 27, was occupied with a joint session of the first two. A business meeting on the afternoon preceding had been devoted mainly to a discussion of propositions for their union. For the present, the view that the Ohio Valley Historical Association had a distinct sphere of usefulness in which it could not be wholly replaced by the Mississippi Valley Historical Association so far prevailed that further consideration of the proposed union was postponed for a year.

In the joint session held in the evening Professor Orin G. Libby of the University of North Dakota read a paper entitled *New Light on the Explorations of the Verendrye*. He placed the Verendrye family—father and sons—in a class with La Salle and with Lewis and Clark in respect to the wide sweep of their explorations in the regions about the upper valley of the Missouri River, extending as far west as the Rocky Mountains, and he discussed the elder Verendrye's discovery of various tribes of Indians unknown to the world before his explorations.¹ Professor Clarence W. Alvord of the University of Illinois followed Professor Libby with a description of Verendrye's discovery of the tribes of Indians about Lake Winnipeg.

Professor Isaac J. Cox of the University of Cincinnati read the second paper of this session, on the American Intervention in West

¹ Professor Libby's paper will be printed in the *Proceedings of the Mississippi Valley Historical Association*. Professor Cox's, the next mentioned, will appear in this journal. Of formal papers mentioned in this article without note of publication in any journal, it may be expected that the greater number will be printed in the *Annual Report* of the Association for 1910.

Florida. Although Mr. Henry Adams, Mr. Fuller, and Admiral Chadwick have depicted the diplomatic controversies in which West Florida was involved, and Professor McMaster has given something of a picture of local affairs in that district preceding the revolt of its inhabitants and the American intervention, yet in all accounts so far, Mr. Cox maintained, the diplomacy in Europe and in Washington and the local events in West Florida appear as distinct movements lacking in visible purpose and connection. He put forward, as the connecting link joining the two and completing the picture of American intervention, the correspondence of Governor Claiborne of Orleans Territory and Governor Holmes of Mississippi Territory, the former giving the best notion of those various frontier movements which rendered the absorption of the territory by the United States inevitable, the latter giving the inner history of the transactions leading immediately to American intervention. With the aid of these sources, essential yet not heretofore extensively used in any account of the episode, and with other documentary material, Mr. Cox described the movements of 1810 and 1811 which ended in the occupation of the Baton Rouge district by Governor Claiborne assisted by Governor Holmes. The emphasis was placed upon the position of Governor Holmes, his attitude toward events occurring in West Florida, his relations with the leaders in these events, his reports to the American government, and his precautions toward insuring the tranquillity of the Mississippi Territory and toward giving moral support to the West Florida insurgents. The later attitude of the United States, in the executive, legislative, and judicial departments of its government, with respect to justification of the movement, was also delineated.

In discussing the paper, Professor Frederic A. Ogg of Simmons College raised the question whether the administration of President Madison had not been censured with too much severity by reason of its actions with regard to West Florida in 1810 and 1811. Abandoning the ground that West Florida was rightfully a part of the Louisiana Purchase he dwelt upon the hopeless decay of Spanish authority in the district, upon the influx between 1800 and 1810 of an American population which by the latter date dominated the district, upon the fact that if there were to be any change of status annexation to the United States was the solution most expedient for all concerned, and upon the reality of the reasons for apprehension lest West Florida be acquired by France or by Great Britain. Dr. Dunbar Rowland, director of the Department of Archives and History in Mississippi, speaking upon the basis of materials in the

archives of that state, defended the action of the United States on similar grounds.²

Professor Archer B. Hulbert of Marietta College, in a paper entitled *A Century of Steamboat Navigation on the Ohio*, set forth with emphasis the developments in industrial and social history which had flowed from the launching of the *Orleans* at Pittsburgh in March, 1811, the first steamboat to be operated upon the Ohio River, and argued for a worthy celebration next spring of the centennial anniversary of so great an event. He proposed mechanical, economic, and historical features of the celebration, and the enlisting of various public bodies in co-operative endeavor toward a fitting commemoration.

Professor R. B. Way of Indiana University, in discussion of the paper, enlarged upon the wide range of historical investigation which such a centennial should evoke and urged that the general history of transportation in the Mississippi Valley, the history of westward migration before and during the period of the steamboat, the development of corporations, the contests for trade, and many other aspects of the life of the West should be extensively treated in connection with the celebration.

At a meeting of the executive committee of the Ohio Valley Historical Association definite action was taken assuring a celebration at Pittsburgh and elsewhere in the latter part of September, 1911. The Fulton-Livingston steamboat *Orleans*, launched at Pittsburgh in March, 1811, made a trip to New Orleans in the following September under command of Captain N. J. Roosevelt, a grand-uncle of Colonel Theodore Roosevelt. A Pittsburgh committee will reproduce the steamboat, with the intention that it shall repeat the voyage made by the original boat, halting at the places where it visited, and giving opportunity for various historical exercises, beginning with suitable addresses at Pittsburgh itself.

The Wednesday morning was occupied with a session devoted to the teaching of history and civics, held chiefly under the auspices of the North Central History Teachers' Association and with Professor James A. Woodburn of Indiana University as chairman. Miss Lucy M. Salmon, professor in Vassar College, spoke on the Evolution of the Teacher, urging as the main suggestion that the teacher must be a producer in order to prevent arrest of his own development, to be able to train his pupils to produce, and to do his duty toward his profession and toward future times. Therefore,

² The papers of Professor Ogg and Dr. Rowland, and that of Professor Hulbert which followed, will be printed in the *Proceedings of the Mississippi Valley Historical Association*.

educational authorities should encourage productivity by providing for the sabbatical year, by establishing fellowships for research open to the teachers of the community, and by encouraging teachers to avail themselves of fellowships offered by universities, while the teacher must do his part to create an intelligent public opinion in respect to these things.³

Professor Andrew C. McLaughlin of the University of Chicago, speaking upon the question *Is Government Teachable in the Schools*, advised especially that civil government should be made concrete to the student's mind, commented on the lack of appliances and illustrative material which now impoverishes the teaching on the subject, and discussed the question whether certain important features of civil government—the influence of personal forces, including the boss, the actual methods of political parties, the darker side of our political life—could be instructively taught without implanting discouraging views in the pupils' minds. He believed that civil government and history should be taught together.

Mr. Arthur W. Dunn, civic secretary of the City Club of Philadelphia, spoke upon *Local History and the City Community* as means for the teaching of civics, laying emphasis upon the superior appeal which interest in the local community might make to the youthful mind, and the opportunity thus afforded for developing citizenship of good quality. Mr. Frank P. Goodwin of the Woodward High School in Cincinnati showed how the Cincinnati public schools were using the local history of Cincinnati and the Ohio Valley as part of the regular course in American history, making more concrete the course of the national development and giving a broader significance to that of the local growth.⁴ Miss Flora Swan of Indianapolis, with a class from the eighth grade in one of the Indianapolis public schools, illustrated methods by conducting publicly a class in civics.

The proceedings peculiar to the American Historical Association proper began with a group of conferences held on Wednesday afternoon—a conference in Ancient History, another in Modern European History, another in American Diplomatic History with special reference to Latin-American relations, and the fourth the usual annual conference of State and Local Historical Societies. These conferences, according to a procedure now settled as inevitable, were held simultaneously. That on Ancient History was

³ This paper will be printed by the North Central History Teachers' Association.

⁴ These two papers were printed in the *History Teachers' Magazine* for March. The February number of that magazine contained an excellent account of the whole meeting.

attended by about one hundred persons. Noteworthy among the facts encouraging to the teacher of ancient history which were brought forward in the opening address by the chairman of the conference, Mr. Henry B. Wright of Yale University, was the statement that, out of 283 colleges and universities replying to a questionnaire, only 39 responded that ancient history was not taught at all within their walls, 81 that it was taught by the departments of philology (which ten years ago nearly monopolized it), while in 163 ancient history is now taught by members of the historical department. A helpful feature of the procedure of this conference was that printed outlines of the papers read were provided for those attending.

The first paper, by Professor Robert W. Rogers of Drew Theological Seminary, dealt with the Western Campaigns of Sennacherib, using as sources the inscriptions of that monarch and especially the so-called Taylor cylinder, the newly published fragmentary text of Scheil and Ungnad, and the Biblical sources, and arguing that these authorities sustain best the theory of two western campaigns rather than one.

After a paper by Professor Henry A. Sill of Cornell University, entitled Niebuhr, 1810-1910, written apropos of the one hundredth anniversary of Niebuhr's appointment as professor at Berlin, Professor R. F. Scholz of the University of California discoursed on Some Aspects of Roman Imperialism. The aspects to which he adverted were chiefly the spread of the municipal system in Italy and in the provinces, with the evolution of a uniform municipal type (the *decurionate*) and of municipal law, and on the other hand the growth of the great estates and the feudalization of Italy and of the provinces. The relations of the two processes to each other and to the spread of Roman citizenship and the Edict of Caracalla were traced.

Finally, in a paper on the Monument of Ancyra, which will be printed in a later number of this journal, Professor W. L. Westermann of Wisconsin attempted to define the political motive lying behind the form and manner of publication of the *Res Gestae* of Augustus. He approached the problem through internal evidence, such as that of the significant omission of certain names and the partial avoidance of the term *respublica*, and through such external evidences as are afforded by our knowledge of the weakness of the succession to the principate, the unpopularity of Tiberius, and the use made of the document by publication after the death of Augustus. He thought it might safely be said that the endeavor to secure inheritance of the power in the family of Augustus was at least one

motive which played a part in the composition and publication of the document. The paper was discussed by Messrs. Scholz, Sill, and Wright in the light of Kornemann's theories.

In the conference on Modern European History, over which Professor Guy S. Ford of Illinois presided, the general topic was European History as a Field for American Historical Work. The discussion was opened with a paper by Professor Charles M. Andrews of Yale on the Doctor's Dissertation in European History.⁵ The paper dealt with some of the advantages and disadvantages which accompany the efforts of American students in handling subjects for doctoral dissertations selected from that field. The manifest advantages concerned the professional and intellectual expansion of the individual; the disadvantages, the difficulties of distance, expense, and similar practical considerations, and above all of language and of unfamiliarity with the traditions and temperament of another people. The want of adequate guides and seminaries was pointed out and the greater complexity of the subject was considered at length. The speaker discussed the differences that exist between the materials and methods for modern as contrasted with medieval history and the nature of the qualifications demanded of the student specializing in the modern field. He endeavored to ascertain the causes for the greater complexity of the documentary material for modern history, discussing their nature, their whereabouts whether in print or in manuscript, and the conditions under which documents in archive depositories are to be used. Attention was called to the growing importance of a knowledge of archives and of archive regulations in the countries of Europe and to some of the differences prevailing in the theory and practice adopted. In conclusion, Mr. Andrews said that "to the student able and equipped to invade the archives of another country than his own the advantages to himself and to his profession are so marked and the results likely to be so fruitful that it is eminently desirable for the graduate departments of our American universities to encourage such invasion whenever and wherever it is possible to do so."

In discussing Professor Andrews's paper, the *pièce de résistance* of the conference, Professor Archibald C. Coolidge of Harvard, after admitting and to some extent dwelling upon some of the linguistic and pecuniary difficulties that beset the student of modern European history, and the need of more laborious preparation for tasks in that field, showed that on the other hand there were compensations, and that the very difficulties to be encountered were of a nature to stimulate the more ambitious mind. It should also be

⁵ Printed in the April number of the *History Teachers' Magazine*.

remembered that America owes something to the cause of general historical scholarship and that it is highly desirable that a certain proportion of the work in European history should be done by Americans. Professor John M. Vincent of the Johns Hopkins University, while likewise admitting the difficulties which had been set forth, called attention to the considerable number of fields of research in which printed materials abound and in which therefore some of the difficulties are reduced. Professor James W. Thompson of the University of Chicago, while agreeing in the main with Professor Andrews's conclusions, took issue with him as to the relative value of medieval and modern history, expressing some doubt as to whether modern history required greater ability to combine and construct, and held that training in critical work in the medieval field might develop properly the young mind for work in modern history. He suggested a number of open fields for historical investigation, and expressed the belief that the immediate future would see much greater attention paid to topics in the psychological interpretation of history. Professor Fred M. Fling of the University of Nebraska, agreeing that American scholars must of necessity engage in research work in modern European history, laid emphasis upon the need of beginning their critical training in their undergraduate years by intensive work in the original sources. Professor Frank M. Anderson of the University of Minnesota suggested that much of the difficulty incident to the thesis in modern history could be lessened by selecting subjects which ran into both American and European history, and expressed the hope that American universities might some time so arrange that there should be each year in Paris an American professor of modern history somewhat familiar with the archives of that city, who might assist American students occupied with researches there.

In order to secure continuity in the work of the Modern History Conference a committee was appointed, consisting of Professors Vincent and Thompson, to consider the matter and to confer with a similar committee to be appointed by the conference in Medieval History.

The third conference, that on American Diplomatic History, was presided over by Professor James A. James of Northwestern University. The opening paper, by Professor Joseph Schafer of the University of Oregon, on George Canning's policy respecting the Oregon boundary question, is represented in the pages of this journal by parts of the article which he contributed to our last number. Upon the basis of correspondence preserved in the archives of our Department of State, Professor James M. Callahan of the Univer-

sity of West Virginia displayed the Mexican Policy of Southern Leaders on the Eve of the Civil War. James Gadsden, before his negotiations for territory were completed in 1853, was sent confidential instructions authorizing him to purchase Lower California and the entire region beyond the Rio Grande to the watershed and to 32° N. lat. on the Gulf of California. Negotiations were renewed under President Buchanan through John Forsyth and Robert M. McLane for the acquisition of additional territory in this region, an acquisition which under the influence of Southern leaders was regarded as the most satisfactory solution of the Mexican problem short of an American protectorate. Unsuccessful in this effort, the administration set itself to secure concessions as to transit across Mexico and as to direct intervention for enforcing treaty stipulations. The treaty which was finally signed on this basis was delayed in the Senate, and finally the Secession movement and the beginning of the Civil War made its ratification impossible, taking from the Senate almost all the members who had voted for it.

In remarks upon Trade and Diplomacy between the United States and Latin America, Mr. Joseph H. Sears of New York City described the lack of facilities for transportation and banking, the indifference of North Americans to Latin-American customs of trade and life, and the manner in which similar ignorance has hindered success in diplomatic relations. Mr. Albert Hale of the Pan-American Union followed along similar lines but thought the situation improving, and called attention to the interesting field of historical research which certain phases of Latin America presented. Dr. Don E. Smith of the University of California suggested a school or institute of Latin-American historical studies in Mexico, analogous to the American schools in Athens and Rome. Other university teachers described the development of diplomatic history in their curricula. A committee was appointed to arrange, if practicable, for a similar conference at the next meeting of the Association.

The fourth of the conferences, that of State and Local Historical Societies, on Wednesday afternoon, presided over by Mr. Clarence M. Burton of Detroit, was attended by about forty persons, representing nearly that number of organizations. Dr. Dunbar Rowland reported on behalf of the Committee on Co-operation among Historical Societies and Departments respecting the preparation of a calendar of the documents in the French archives concerning the Mississippi Valley. Active work on that calendar was commenced in November, 1909, and has advanced to as great an extent as is possible under the system of employing but a moderate number of assistants in order that their work may be closely super-

vised by Mr. Leland, who has the matter in charge. Mr. Leland expects to save time by acquiring the manuscript of a calendar of documents in the "Correspondance Générale, Louisiane", which, as has heretofore been mentioned in this journal, was at one time prepared by an official of the Archives of the Ministry of the Colonies with the expectation that it would be printed by that ministry. It is expected that the calendar which the Committee of Seven has in charge may be ready for print before the end of the year 1912.

In the same conference Mr. F. A. Sampson of the Missouri State Historical Society spoke on Publicity as a Means of Adding to Collections, describing the modes by which societies or departments might bring home to the public a better knowledge of what should be brought into historical collections and a warmer interest in supplying them with the things which it is their function to preserve. Professor Clarence W. Alvord of Illinois treated of the Preservation and Care of Collections, occupying his remarks mainly with the processes of restoration and treatment of manuscripts, and illustrating those processes by the exhibition of examples.

The first general session of the Association took place on Wednesday evening. It was opened by an address of welcome on behalf of the community, by the governor of Indiana, Hon. Thomas R. Marshall. The presidential address which followed, on Social Forces in American History, by Professor Frederick J. Turner of Harvard University, has already been printed in this journal, in the number preceding this. It suffices here to say, that he dealt, as only a devoted and accomplished student of Western history could do, with the new light cast on our whole history by the extraordinary developments of the last twenty years, and with the new duties which this imposes on the historian.

Appropriately to the fiftieth anniversary of the winter of Secession, a large place was given in the public sessions of the Association to the political events of 1860-1861, Thursday morning's session being occupied with affairs at the North, Friday's at the South. The former series was opened by Professor Carl R. Fish of the University of Wisconsin with a paper on the Decision of the Ohio Valley.

The purpose of his paper was, first, to show the essential unity of that valley in 1860 and the necessity that the whole valley should come to the same decision in the division of the country; and, secondly, to show that its voice was necessarily given in favor of the unity of the whole country. The essential elements of homogeneity in the valley were the similarity of its stock, of its occupations, and in particular of its commercial life, the main object of the valley

merchants being to find an outlet for their surplus products and the most convenient markets from which to purchase their importations. By 1860 the Mississippi had almost ceased to be an avenue of export and the Northern and European markets which were reached by means of the railroads to the North and East had become much more important than the Southern. A study of the elections of 1860 and 1861, while revealing minor sectional differences within the valley, shows this essential unity. In 1860 a majority voted for the compromise candidates, Bell and Douglas; and even the Breckinridge vote, except in western and to some extent in southern Kentucky, is by no means to be counted as a vote against national unity. While there was a majority in the valley for peace, there was an even larger majority for union.

In a paper on the Dred Scott Decision, more particularly on the declaration that the eighth section of the Missouri Compromise Act was unconstitutional, Professor Edward S. Corwin of Princeton declared his persuasion that the usual historical verdict with reference to that announcement needs revision on two points: first, as to its being *obiter dictum*, and secondly, as to its basis. The paper may be expected to appear later in this journal.

Professor Andrew C. McLaughlin of the University of Chicago read a paper on the Doctrine of State Sovereignty and Secession. It showed the necessary basis of that doctrine to be the assertion that the states were separate sovereignties before the adoption of the Federal Constitution, and that they adopted the Constitution separately. The doctrine does not rely to any great extent on any expressed intention of the men of 1788 to retain the states in undiminished sovereignty or on any such conscious purpose, for there is practically no contemporaneous testimony or evidence that the men who adopted the Constitution believed that the states remained sovereign and could secede at will. The theory rests upon the metaphysical supposition that if the states acted separately, their action did not result in the establishment of unity or a government with power of compulsion over them. The Virginia and Kentucky Resolutions were based on the principles of the American Revolution, not on those of the War of Secession. The paper also called attention to the struggles in the early part of the nineteenth century concerning the right of the central government to judge of its own powers. The question of this right, rather than of any clear-cut doctrine of state sovereignty and secession, was the question under discussion in the first quarter of the century. After a consideration of the theories of Judge Roane, John Taylor, and others of the

South, the paper ended with a consideration of the pivotal points in the arguments of Calhoun.

The morning session was concluded with a paper by Judge Daniel W. Howe of the Indiana Historical Society respecting the Development of War Spirit in the North, in which he described, with vividness and warmth derived from personal remembrance, the events of Secession; the varying opinions prevalent in the closing months of 1860; the peace measures of Congress; the discussions respecting the Charleston forts; the vacillations of Buchanan; the hesitancy during the first month of Lincoln's administration; the bombardment of Fort Sumter; the call to arms and the immediate and impressive response.

As on the previous day, the afternoon was given up to conferences—a conference on Medieval History presided over by Professor Earle W. Dow of the University of Michigan; a conference of Archivists presided over by Professor Herman V. Ames of the University of Pennsylvania, chairman of the Public Archives Commission; and a conference of Teachers of History in Teachers' Colleges and Normal Schools, of which the chairman was Professor Albert H. Sanford of the State Normal School at La Crosse, Wisconsin.

The first of these was in practice almost confined to the medieval history of England. A paper on Royal Purveyance in England during the Fourteenth Century, by Professor Chalfant Robinson of Yale, rested mainly upon the *Speculum Regis* of Simon Islip, afterwards archbishop of Canterbury, a document consisting of a series of remonstrances addressed to Edward III., in whose reign the abuses of purveyance were peculiarly burdensome. Taken in conjunction with the great statute of 36 Edward III. on purveyance, this document furnishes a comprehensive picture of the wrongs suffered by humble Englishmen from the action of the king's officers. The *Speculum Regis*, compiled in 1337 and 1345, furnishes graphic pictures of what happened in specific instances of the exercise of royal purveyance.

The only other formal paper read in this conference was one by Professor James F. Baldwin of Vassar College on the Records of the Privy Seal, his endeavor being to show how the wide scope of operations under the Privy Seal made the miscellaneous records of its office useful for a multitude of topics in English medieval history. He dwelt specifically upon the warrants of the Treasurer and Chancellor; upon the letters and writs not destined for the Great Seal; upon the Wardrobe and its diplomatic functions; and

upon the various records illustrative of the history of the King's Council.

The remainder of the proceedings in this conference was given to a less formal consideration of profitable opportunities for investigation in English medieval history. In opening the discussion Professor Cheyney of the University of Pennsylvania inquired into what might be done by the use of a sane comparative method, especially as between legislative development in France and England, and several of those who followed him dwelt in one way or another on the same point, Professor Vincent especially urging work depicting medieval society in motion rather than the exclusive study of the origin and growth of institutions, while Professor C. H. McIlwain of Bowdoin College pleaded for more attention to the study of historical jurisprudence and of legal ideas.

The conference of Archivists, held now for the second time, distinctly justified its existence. Very appropriately, it was opened by an account of the International Conference of Archivists held at Brussels last August, at which the American Historical Association was represented by four delegates. The narrative was prepared by one of these, Mr. A. J. F. van Laer of Albany, who set forth fully and clearly the discussions and results of the congress. The progress in the acquisition of modern administrative records, the development of archives for economic history, and the improvements in the training of archive officials, were well brought out. Among the resolutions voted at Brussels the one most important for American archivists was that which declared emphatically the general European opinion that the arrangement of papers in archives should respect the *principe de provenance*, keeping original deposits together and basing classification strictly on the organic relations between the offices from which the documents were derived.

In a paper on the Concentration of State and National Archives, Dr. Dunbar Rowland of Mississippi endeavored to apply the lessons of European experience and of the historical use of archives to the problem of bringing better order and system into the management of American archives, now frequently chaotic in respect to collocation, administration, and classification. He advocated concentration into state archives, furnished with adequate buildings, and uniform state care. Mr. Gaillard Hunt, chief of the Division of Manuscripts in the Library of Congress, speaking with respect to the archives of our national government, dwelt especially upon the need of a proper National Archive Building in Washington, and gave a rapid survey of the best points in the archive repositories of Europe with a view to showing what such a building should be, in order to

serve at the same time the needs of government business, which must of necessity come first, and the purposes of the historical student.

Further remarks in this conference were made by Professor Frederic L. Paxson of the University of Wisconsin, on the practice of the English and other archives with respect to the fixing of the dividing date between papers which may be examined and those which for governmental reasons are withheld; by Mr. Dan E. Clark of Iowa, on the progress of legislation respecting archives in that state and the administration of the present excellent system; by Professor Eugene C. Barker of the University of Texas, on the recent law in that state organizing the Library and Historical Commission; by Professor Harlow Lindley of Earlham College, on the question what materials should go into the archives of the state; by Mr. R. D. W. Connor of the North Carolina Historical Commission, on its work; by Mr. Demarchus C. Brown, on the efforts now making in Indiana; by Mr. Asa C. Tilton of the Connecticut State Library, on the relations between state archives and state libraries; by Professor Justin H. Smith, who spoke with reference to the needs and interests of the private investigator; and by Mr. J. F. Jameson, on the movement in Washington for a proper National Archive Building and the work of the Association's committee on that subject.

The last of the conferences of this afternoon, that of Teachers of History in Teachers' Colleges and Normal Schools, was occupied with the question of the preparation which teachers of history in schools should be required to have. Professor Edgar Dawson of the Normal College in New York City contrasted the preparative work expected in France and Germany of teachers of history in secondary schools—including university work at least equal to that required for the doctor's degree—with the much lower standards of eligibility for high school teachers of history in America, and warmly commended the California requirement of a year of graduate residence at a university and a recommendation from the university department in which the candidate has studied. Professor Thomas N. Hoover of the State Normal College of the Ohio University described systematically the defects in the present teaching and the ways in which these might be remedied by better academic education followed by superior professional training.⁶ Professor Frank S. Bogardus of the Indiana State Normal School at Terre Haute believed that the path of success in any endeavor after improvement

⁶ The papers of Professors Dawson and Hoover may be expected to appear in the *History Teachers' Magazine* for May.

lay in co-operation with the general movement toward improving the qualifications of secondary school teachers of all sorts, and dwelt, as did Professor Harold W. Foght of the Missouri State Normal School at Kirksville, on the proper proportions between the requirements in respect to academic training (substantially a college degree) and the requirements in respect to professional or pedagogical training.

Miss Sarah M. Riggs of the Iowa State Teachers' College at Cedar Falls read the concluding paper of this conference, on the preparation necessary for the teaching of history in the grades, describing the course which schools aiming to prepare teachers of history should provide, not only in history but in allied subjects, such as geography and economics, and in psychology, with special reference to the development of the mind of the child.⁷ The discussions of these papers made evident an earnest and general conviction that we should have in America far better preparation than hitherto for the work of teaching history in schools. A committee, Professor Edward C. Page, Miss Julia A. King, and Professor Henry Johnson, was appointed with reference to provision for similar conferences at subsequent meetings.

A general session devoted to papers in European history was held on Thursday evening. Five papers were read. The first, by Professor Laurence M. Larson of the University of Illinois, was on the Efforts of the Danish Kings to Recover the English Crown after the Death of Harthacnut. The speaker believed that it was Cnut's intention to leave the empire to Harthacnut. This arrangement was disturbed by the failure of direct heirs, and by revolutionary movements in Norway, leading to intermittent warfare between Norway and Denmark lasting for more than two decades. The Danish attempts at invasion in 1069, 1075, and 1085 were discussed with especial reference to the causes that brought failure—in the first instance the breakdown of Sweyn's ambitious plan of reducing Norway, in the second the lack of co-operation on the part of the English, who remembered the devastation of the Vale of York, and in the third the renewal of war on Cnut's Saxon frontier immediately after the death of Gregory VII. The Domesday survey may have been in part a result of financial difficulties brought on by William's elaborate preparations to meet the threatened invasion; but it can hardly be true that the Salisbury oath was the outcome of this danger.

Dr. Roland G. Usher contributed Some Critical Notes on the Works of S. R. Gardiner. As his readers are well aware, Dr.

⁷ *Ibid.*

Gardiner leaves them to infer his views of the character and of the general development of the story from brief remarks interjected from time to time into the narrative. An attempt to elaborate from these fragments a connected and clear statement of Gardiner's conceptions concerning the characters of Charles, Laud, Pym, Strafford, and Cromwell, and concerning his conception of the English constitution, and the sense in which he used the word "nation", had seemed to Dr. Usher to lay bare grave inconsistencies of language and even of thought, which he proceeded to discuss in detail.

Upon the basis of extensive researches in both the English and Dutch archives Professor Ralph C. H. Catterall of Cornell University discoursed upon Anglo-Dutch Relations, 1654-1660. During these years, and indeed before and after, these relations centre about the attempt of the Dutch to persuade the English to adopt a policy of freedom in regard to commerce and navigation. After the peace of 1654 efforts were made to secure the revocation of the Navigation Act. Failing in this, the Dutch ambassadors pushed for a marine treaty which should recognize the principle of "free ships, free goods", remove the great abuses attending the exercise of the right of search upon the part of the English, and restrict the definition of contraband goods to objects directly used in waging war. Nieu-poort's persistent but skilful endeavors to secure these objects, the counter-propositions of the English, and the negotiations, especially during the years 1656 and 1657, were described in detail. Delayed by the constitutional debates in England and suspended as nearly hopeless at the end of 1657, the negotiations were made impossible of renewal by the Dutch blockade of Lisbon in the autumn of the next year, and though Nieupoort persisted, the Restoration found matters in exactly the same state as had existed in 1654.

After this paper Professor H. Morse Stephens of the University of California gave an entertaining informal address upon the Historiography of the French Revolution, with special reference to and commendation of the work of Aulard.

The last paper of the evening was read by Professor Charles D. Hazen of Smith College, on Alexis de Tocqueville and the Republic of 1848. When the Second Republic was proclaimed Tocqueville immediately rallied to it, although he had never believed a republic suitable for France. He now considered, however, that it offered the only means of preserving her from anarchy or a dictatorship. He was appointed by the National Assembly a member of the committee to form the constitution, served as Minister of Foreign Affairs under Louis Napoleon from June to October, 1849, and was a member of a committee on the revision of the constitution in 1851. Mr.

Hazen described in detail the acts and opinions of Tocqueville respecting the formation of the constitution during the period of his service in the first of these three capacities, and his endeavors in the latter two to preserve the republic by foiling the ambitions of the prince president.

The session of the last morning was, as has been mentioned, devoted to further papers related to the fiftieth anniversary of Secession. The formal papers were preceded by a most delightful informal talk on the part of Dr. James B. Angell, president emeritus of the University of Michigan, entitled *Some Recollections of a Horseback Ride through the South in 1850*. Starting from Winchester, Virginia, the route of this expedition passed through Charlottesville, Charlotte, Columbia, Charleston, Augusta, Atlanta, into Florida, with subsequent visits to Montgomery, Mobile, and New Orleans. From a political point of view the matters mainly touched upon were on the one hand the general restiveness and tendency towards secession in that year, and on the other hand the conservatism in respect to such movements which the commercial spirit had inspired in the cities. But the speaker dwelt more largely, and most entertainingly, upon the social and picturesque features of Southern life which in successive places of the sojourn impressed the mind of a young Northern observer.

Professor David Y. Thomas of the University of Arkansas discussed the Lower South in the Election of 1860. He showed that the county and state conventions had assumed a radical position, but that among the delegates to them there was a decided preponderance of lawyers and office-holders, and very few planters. Upon careful comparison of the election returns, county by county, and the statistics with respect to slavery, Professor Thomas concluded that the general tendency of the slaveholders, especially those who held many slaves, was to support the conservative Bell, while that of the poorer non-slaveholders was to support the radical Breckinridge. The wealthy slaveholders were almost unanimously agreed upon their rights in the territories, though they differed as to the expediency of pushing radical demands. The speaker set forth the reasons why the non-slaveholders maintained their alliance with the slaveholders, or continued to follow contentedly their lead.

The second Southern paper was that of Professor William K. Boyd of Trinity College, on North Carolina on the Eve of Secession. Some phases of Southern life often lost from sight in discussions of slavery and secession are illustrated by the case of North Carolina. These are: a social system in which the predominant type was the small farmer of moderate means; an economic

and political cleavage between the eastern and western counties; a less extensive development of slavery than in the far South, and indeed an attitude in the western counties of protest against domination by the interest of slavery; and finally, a political opinion in regard to federal relations strongly affected by the Whig control, which had lasted from 1836 to 1850. From 1850 to 1860 the main struggle was between those who wished to co-operate with the far South in demanding opportunity for slavery in the territories, and the Whigs and conservative Democrats who opposed that propaganda. The speaker reviewed the other issues of the time, political and personal, and the action of the North Carolina delegates to the National Democratic Convention of 1860. An analysis of the votes of that year seemed to him to show that the small majority of Breckinridge was really a rebuke to the radical democracy, an attitude evidenced again in February, 1861, and maintained until Lincoln's call for troops.

The paper of Professor William E. Dodd of the University of Chicago on the Fight for the Northwest in 1860 we shall have the pleasure of presenting to our readers in a subsequent number. That of Mr. Armand J. Gerson of the University of Pennsylvania on the Inception of the Montgomery Convention began with a consideration of the work of those commissioners whom the seceding states appointed to confer with each other and with other slave states in December, 1860, and January, 1861. The adoption of February 4 as the date of the proposed convention was due to a proposal to that effect agreed upon by the South Carolina commissioners before they departed to their respective destinations. The adoption of Montgomery as the place was due to a suggestion let fall by the South Carolina commissioner to Alabama in an address before the Alabama Convention, upon which ensued an invitation from that state. Many writers have attributed one or both of these decisions to the action of Mississippi, but this Mr. Gerson showed to be erroneous.

The final session of the Association, held on Friday evening (the annual business meeting having already taken place in the afternoon), was devoted to the reading of a single paper, of much brilliancy of style and importance of content, and its discussion from various points of view. The paper, by Professor James H. Robinson of Columbia University, was on The Relation of History to the Newer Sciences of Man. Mr. Robinson pointed out that history had since the middle of the nineteenth century been mainly engaged in making itself scientifically presentable by a scrupulous criticism of its sources, a detailed study of past events and condi-

tions, and the elimination of the older supernatural, metaphysical, and anthropocentric interpretations. This arduous process has proved so absorbing that historical students have not as yet taken full account of either the discovery of man's descent from the lower animals or of the vast period during which he now appears to have been living on the globe. The organic sciences as well as those dealing with man specifically have been revolutionized by the interpretations and explanations suggested by the evolutionary theory. In the work of the historian, strangely enough, the genetic element is as yet far less common than would seem natural and essential. History, in one sense, is as yet less historical in its mode than comparative anatomy. Moreover, during the past forty or fifty years a number of new social sciences have been developing, the results of which ought to have an important influence in modifying our notions of man and his development. Among these newer ways of studying man are anthropology, the study of comparative religions, palaeontology, social psychology and its essential basis, animal psychology. Our conceptions of race, of culture, its origin and transmission, of progress and decline, of "human nature", and of all religious phenomena have been profoundly modified by anthropological and psychological investigations. As yet historical students continue to use the terms in senses which have been outlawed and thus run grave danger of misunderstanding and misinterpreting many vital phenomena.

Professor George L. Burr said that while, like Mr. Robinson, he held that all the sciences are sisters and should be fellow-workers, and while with him he deprecated a history that is merely antiquarian and a *Historismus* that has lost its touch with life, he could see no reason for including under the name of history the sciences which are only her neighbors. The scholars now held up to our admiration by Mr. Robinson are far from doing this. Propositions learned by rote, however true, do not make up a science. A science is our science only in so far as we can use its processes and test its results. When biology and anthropology have explained for us all they can, when the social sciences shall have accounted for every survival, every instinct, every imitation, there will still remain for history a field broad enough and noble enough for any study; and woe betide the social sciences themselves if we forget it.

Further comments were made by Professor George W. Knight of the Ohio State University. Since primarily history deals with mankind in past action, it is its business to accept and to use whatever solid results of other sciences make possible a better understanding of mankind. But similarly, the other sciences of man

rely and must rely upon history to furnish them data which they accept as of assistance in their primary fields. There is a never ceasing mutuality of interest and interchange of results between them all. Without differing from Professor Robinson as to the influence which the newer sciences ought to have on the historian, he held that that influence had already been working, in a degree greater than the latter had seemed to recognize. He drew particular attention to the duty of the instructor in history to make sure that his students became acquainted with the important verities of the other sciences of mankind.

Professor George H. Mead of the University of Chicago held that the matter of history, man, has in fact become different because of the scientific advances upon which Professor Robinson dwelt. The older histories had been political because society's conscious efforts had taken the form of endeavors to solve political problems. More recently we have become more occupied with social problems and history would probably respond to this change by a difference of treatment and a different relation to the sciences.

The transactions of the annual business meeting remain to be reported. It will without doubt be agreed that they show a substantial year's progress on the part of the Association and its various standing committees and commissions. The report of the secretary, Mr. Waldo G. Leland, showed a total membership of 2925. That of the treasurer, Dr. Clarence W. Bowen, showed net receipts of \$10,078, net expenditures of \$9,318, an increase of \$615 during the year in the funds of the Association, and total assets of \$27,518.

The Historical Manuscripts Commission reported concerning the completion of the Diplomatic Correspondence of the Republic of Texas and the preparation for publication of a body of correspondence of Robert Toombs, Alexander H. Stephens, and Howell Cobb. The Public Archives Commission reported its expectation of printing in the next annual volume reports on the archives of Indiana, Kentucky, and Nebraska, and its intention to prepare for publication a list of commissions and instructions issued to colonial governors and of all representations and reports of the Board of Trade. The committee on the Justin Winsor Prize reported the award of the prize to Dr. Edward R. Turner of Bryn Mawr College for an essay entitled "The Negro of Pennsylvania—Slavery, Servitude and Freedom, 1699-1861". Upon joint representations from this committee and from the committee on the Herbert Baxter Adams Prize it was voted by the Association that the regulations of the competition should be so amended that after 1911 the essays shall

be submitted on or before July 1 of the given year, instead of October 1.

Brief reports were also made on behalf of the Pacific Coast Branch (represented on the present occasion by Professor H. Morse Stephens), the Board of Editors of this journal, the Committee on Publication, the Committee on Bibliography, the General Committee, the general editor of the *Original Narratives of Early American History*, and the Committee on a Bibliography of Modern English History. The report of the Committee of Five on History in Secondary Schools was understood to be already in the press, to be published by the Macmillan Company within the ensuing three months. The bibliography of modern English history is being prepared by the joint efforts of an American and an English committee, the former dealing with the Tudor period, the latter with that of the Stuarts.

Upon recommendation of the Executive Council a resolution was passed for petitioning Congress to erect in Washington a National Archives Building in which the records of the government may be concentrated, properly cared for, and preserved; and the prosecution of the matter was entrusted to a committee of the Council already having efforts of a similar purpose in charge.⁸

Upon invitations from Buffalo and Ithaca it was voted that the next annual meeting should be held at Buffalo in the last days of December, 1911, with a final day's excursion to Ithaca. The Council announced the membership of the Committee on Programme for that meeting and of the Local Committee of Arrangements, and the membership for the ensuing year of the various permanent committees and commissions. A list of these follows.

Professor Andrew C. McLaughlin, whose term as a member of the Board of Editors of this journal expired December 31, 1910, was re-elected by the Council for a further period of six years.

The committee on nominations, Professors Frank H. Hodder, Frank M. Anderson, and John M. Vincent, proposed a list of officers, all of whom were chosen by the Association. Professor William M. Sloane was elected president for the ensuing year, Theodore Roosevelt and Professor William A. Dunning vice-presidents, Mr. Waldo G. Leland was re-elected secretary, Professor Charles H. Haskins secretary of the Council, Dr. Clarence W. Bowen treasurer, and Mr. A. Howard Clark curator. In the place of Professors Farrand and Hodder, who had served three terms on the

⁸ A memorial prepared by the committee was presented in the Senate in February by Senator Lodge and in the House of Representatives by Mr. George P. Lawrence, and is printed as 61 Cong., 3 sess., *Sen. Doc. No. 838*.

Executive Council, Professors James A. Woodburn and Fred M. Fling were chosen.

OFFICERS AND COMMITTEES OF THE AMERICAN HISTORICAL
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Local Committee of Arrangements for that Meeting:
chairman; Frank H. Severance, secretary;
Charles H. Hull.

Editors of the American Historical Review: Professor George B. Adams, Yale University, chairman; George L. Burr, J. Franklin Jameson, Andrew C. McLaughlin, William M. Sloane, Frederick J. Turner.

¹ Ex-presidents.

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Committee on the Justin Winsor Prize: Professor Claude H. Van Tyne, University of Michigan, chairman; Carl Becker, Francis A. Christie, John H. Latané, William MacDonald.

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Committee on Bibliography: Professor Ernest C. Richardson, Princeton University, chairman; W. Dawson Johnston, Frederick J. Teggart, George P. Winship.

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Committee to Study and Report to the Council upon the Certification of High School Teachers of History: Professor Dana C. Munro, University of Wisconsin, chairman; Kendric C. Babcock, Edgar Dawson, Robert A. Maurer.

THE CORTES OF THE SPANISH KINGDOMS IN THE LATER MIDDLE AGES

THE purpose of the present article is to examine and compare the composition, functions, and procedure of the Cortes of the different kingdoms of Spain from the thirteenth to the sixteenth centuries—in other words, during the period when they were at the height of their power. The thorny question of origins forms a topic by itself and can be only touched on incidentally here; and it has not seemed worth while to carry the investigation beyond the accession of Ferdinand and Isabella, save in a few special cases, since the later history of these institutions is comparatively well known. The Castilian Cortes have been treated more fully than the equally interesting and much more advanced assemblies of the eastern kingdoms, partly because they were destined, after the union of the crowns, to take precedence over the others, and partly because the material for their history is at present much the most fully available.¹

¹ For those who are familiar with the absence of references and bibliographical apparatus characteristic of Spanish historians, no apology will be needed for the length of this note on the sources and authorities upon this topic. Much original material has been made available during the past half-century by the efforts of the Real Academia de la Historia, and more is to be expected in the near future. In 1855 this learned body published a *Catálogo . . . de las Cortes de los Antiguos Reinos de España*, giving dates, places, and brief descriptions of the assemblies which, in the estimation of the scholars who edited it, could fairly be called Cortes. Though the accuracy of this *Catálogo* has been called in question again and again by subsequent writers, it formed an indispensable groundwork for later investigation. Between 1861 and 1903 the Academia published in five volumes the text of the proceedings of the Cortes of Leon and Castile from the beginning to 1559, with an excellent introduction in two volumes by Don Manuel Colmeiro; this introduction is by far the most valuable authority on the history of the Castilian Cortes. Meantime the Congreso de los Diputados undertook to publish the proceedings of the Cortes of Castile from 1563 to 1713, and has already reached the year 1619 in thirty-two volumes, while the Academia has recently turned its attention to a new series of *Cortes de los Antiguos Reinos de Aragón y de Valencia y Principado de Cataluña*, in which thirteen volumes of the proceedings of the Cortes of Catalonia from 1064 to 1423 have already appeared. The proceedings of the Cortes of Aragon and of Valencia, of the General Cortes of the three eastern kingdoms, and of the Cortes of Navarre are still unpublished; but there are printed collections of the *fueros*, laws, and ordinances of each realm, such as *Fueros y Observancias del Reyno de Aragón*, published by order of the Diputación Permanente del Reyno (2 vols., Saragossa, 1667); *Constitutions y Altres Drets de Cathalunya* (3 vols., Barcelona, 1588); *Fori Regni Valentiae* (Valencia, 1547); and finally *Procesos de las Antiguas Cortes y Parlamentos de Cataluña, Aragón y Valencia* in Bofarull's *Documentos Inéditos . . . de la Corona de Aragón*, vols. I–VIII. (Barcelona, 1847–1851).

CASTILE.

It is generally agreed among Spanish historians that the origin of the Cortes of Castile and Leon is to be found in the powerful Councils of Toledo, composed of nobles and clergy, which played such an important part in the government of Church and State during the

The comparative scantiness of available original material on the Cortes of the eastern kingdoms is partially counterbalanced by the large number of Aragonese, Catalanian, and Valencian writers on historical and legal subjects who flourished in the fifteenth, sixteenth, and seventeenth centuries. Of the historians, Jerónimo Zurita, by far the greatest, is too well known to need characterization here. Of the legal and institutional writers, the following are perhaps the most important (I have placed each author in chronological order under the country with which his book specially deals; most of the works here mentioned, however, contain information of value on the Cortes of all three realms of the crown of Aragon):

Aragon. Jerónimo Blancas, d. 1590, chronicler of the realm, wrote *Modo de proceder en Cortes de Aragón* (Saragossa, 1641). Blancas was also the author of *Commentarii Rerum Aragonensium* and *Coronaciones de los Reyes de Aragón*. See Prescott's *Ferdinand and Isabella*, note to section II. of Introduction.

Jerónimo de Martel, appointed chronicler of the realm in 1597, wrote *Forma de celebrar Cortes en Aragón*, published with Blancas's *Modo de proceder* in 1641 at Saragossa. See Prescott, *loc. cit.*

Catalonia. Narciso de San Dionis, canon of Barcelona, wrote probably early in the fifteenth century *Compendium Constitutionum Cathaloniae Generalium*. Unprinted, but exists in manuscript in Spain. See Capmany, *Práctica . . . de celebrar Cortes*, p. 2; and Antonio, *Biblioteca Hispana Vetus*, II. 374.

Jacobo Calicio, jurist and knight—*jues de greuges* in the Cortes of 1432—wrote *Extravagatorium Curiarum* (Barcelona, 1518). See Gallardo, *Ensayo de una Biblioteca*, etc., II. 188-189.

Tomás Mieres, a native of Gerona, councillor of Alfonso the Magnanimous, wrote about 1435 *Apparatus super Constitutionibus Curiarum Generalium Cathaloniae* (2 vols., Barcelona, 1621).

Luis de Peguera, jurist, and *habilitador* in the Cortes of 1585 and 1599, wrote *Práctica, Forma y Stil de celebrar Cortes Generals en Catalunya* (Barcelona, 1632).

Gabriel Berart, d. 1640, jurist and royal official in Catalonia and Aragon, wrote *Speculum Visitationis* (published in 1600) and *Discurso . . . sobre la Celebracion de Cortes de los . . . Reynos de . . . Aragón* (1626).

Four other seventeenth-century writers may also be consulted with profit, viz., Antonio Oliva, *De Jure Fiscis*; Acacio Ripoll, *Regaliarum Tractatus*; Juan Pedro Fontanella, *De Pactis Nuptialibus*; and Miguel Sarrovira, *Ceremonial de Cortes*, etc.

The bibliography at the beginning of Coroleu and Pella, *Cortes Catalanas* (Barcelona, 1876), gives more information concerning these writers.

Valencia. Pedro de Belluga, jurist and knight, d. 1468, wrote *Speculum Principum ac Justitiae* (Paris, 1530). Cf. *Actas de las Cortes de Cataluña*, vol. I., pt. I., *Prólogo*, p. xi.

Lorenzo Matheu y Sanz (1618-1680) of the Consejo Real, published at Madrid in 1677 *Tratado . . . de Cortes . . . de Valencia*. See Ximeno, *Escritores del Reyno de Valencia*, II. 85, and Fuster, *Biblioteca Valenciana*, I. 271.

Bartolomé Ribelles (1765-1816) wrote *Memorias Histórico-Críticas de las . . . Cortes . . . de Valencia* (Valencia, 1810). Cf. Fuster, II. 445-446.

Of the above works, Blancas, Martel, and Berart are in the Harvard College

last century and a quarter of Visigothic rule in the peninsula, and survived the shock of the Moorish invasion.² Soon after their reappearance in the Christian kingdoms of the north, however, the ecclesiastical functions of these councils began to pass to special assemblies of the clergy alone, so that the attributes of the older body were gradually restricted to temporal affairs.³ The culmination of this secularization of the functions of the old Visigothic councils is reached in the course of the twelfth and thirteenth centuries, when the kings, discerning in the third estate the strongest possible sup-

Library, Fontanella in the Harvard Law School Library, Peguera in the Astor Library in New York, and Ripoll in the Library of the Hispanic Society. As far as I know the others are not to be found in this country. Summaries and excerpts from many of them are given in Capmany's *Práctica y Estilo de celebrar Cortes*, compiled at the instance of the Junta Central at Seville in September, 1809, and published at Madrid in 1821. Further information about these authors and their works may be gleaned from Antonio's *Biblioteca Hispana Vetus*, and *Biblioteca Hispana Nova*, Lipenius's *Biblioteca Realis Juridica*, and the *Diccionario Enciclopédico Hispano-Americano*.

Before going on to modern writers, passing mention should be made of Marina's *Teoría de las Cortes* (3 vols., Madrid, 1813) and Sempéré's *Histoire des Cortés d'Espagne* (Bordeaux, 1815). Both deal only with the Cortes of Castile, and are important rather as indicating the political ideas current at the time they were written than as pieces of historical research. As Marina's object was to justify historically the Cortes of 1812, and Sempéré's was to attack them, each book will be found a salutary corrective of the other.

Of more recent general works, Marichalar and Manrique's *Historia de la Legislación y Recitaciones del Derecho Civil de España* (9 vols., Madrid, 1861-1876) forms the basis for many later books. It seems on the whole trustworthy, though the complete absence of references renders it difficult, if not impossible, to verify its statements. Many pages of Danvila's well-known *Poder Civil en España* (6 vols., Madrid, 1885-1886) are taken exclusively from it. Antequera's *Historia de la Legislación Española* (fourth edition, Madrid, 1898) and the first two volumes of Altamira's epoch-marking *Historia de España* (4 vols., Barcelona, 1900-1910) are also valuable. Of the more special investigations, Colmeiro's Introduction (already mentioned) is of the first importance on the Castilian Cortes (all subsequent citations of Colmeiro except when otherwise specified refer to this work); a Russian monograph on the same topic by Vladimir Piskorski (*Kas-til'skie Kortesy*, Kiev, 1897) adds little or nothing to Colmeiro as regards matter, though it contains a useful bibliography. Coroleu y Pella's *Cortes Catalanas* (Barcelona, 1876) is a valuable work; Don Vicente de la Fuente has an illuminating essay on the early Cortes of Aragon in his *Estudios Críticos sobre la Historia y el Derecho de Aragón* (Madrid, 1885); and Danvila's *Estudios Críticos acerca de las Cortes y Parlamentos de Valencia* (Madrid, 1906) contains valuable material on that topic. Other books will be cited when reference is made to them in the text.

² Cf. Colmeiro, I. 3 ff., 109 ff., and Danvila, *Poder Civil*, I. 84 ff., 157 ff. Antequera, pp. 75-76, 120, and Cavanilles, *Historia de España*, I. 271, are the only important authorities who distinctly deny the descent of the Cortes from the Councils of Toledo. On these councils see Dahn, *Könige der Germanen*, VI. 430-504; Pidal, *Historia del Gobierno y Legislación*, pp. 259 ff.; Pérez Pujol, *Instituciones . . . de la España Goda*, III. 285 ff.

³ Colmeiro, I. 10; Altamira, I. 415.

port against the preponderant power of the nobles, began to summon the representatives of the municipalities to the national assembly—in Leon at least as early as 1188, in Castile probably not before 1250.⁴ At the same time the name of the institution changed; the older title of *concilio* (and sometimes *curia*) disappeared and was replaced by that of Cortes, which, though sometimes loosely used to designate assemblies of the earlier sort, is in strict accuracy applied only to those bodies in which the third estate was present.⁵ It may also be noted that after the final union of Castile and Leon under Saint Ferdinand (1230–1252) the custom of holding separate Cortes for each of the two kingdoms gradually fell into desuetude, and the practice of summoning a common assembly composed of the representatives of both came in to take its place.⁶ For the purpose of the present inquiry, therefore, it will suffice to describe the united body.

In examining the composition of the Castilian Cortes in this period, it is of the utmost importance to note at the outset that in sharp contrast to the practice in the realms of the crown of Aragon, no one had a right to sit or be represented there.⁷ The assembly being in theory at least a council of the king, summoned to aid him, was composed as the king desired, and varied from session to session accordingly. Neither all the same prelates nor all the same nobles were summoned to any two Cortes in this period, nor were the same towns ordered to send *procuradores*. The clergy were represented by archbishops, bishops, and the grand masters of the military orders selected by the monarch; custom indeed prescribed the presence of the Archbishop of Toledo and such of the higher clergy as

⁴ Altamira, I. 415–416; Danvila, *Poder Civil*, I. 158–159; Colmeiro, I. 10–15, 142 ff., 153 ff.; also Colmeiro, *Reyes Cristianos desde Alonso VI. hasta Alfonso XI.* in the Academia's *Historia General de España*, I. 259–270; Diercks's *Geschichte Spaniens*, II. 164 ff. The statement in the *Crónica General de España* that *ciudadanos* were present at a so-called Cortes at Burgos in 1169 is not generally accepted to-day. The assembly at Najera in 1137 which is called a Cortes in the *Ordenamiento de Alcalá* (tit. xxxii., *Prol.*) and in the *Fuero Viejo de Castilla* (lib. I., tit. i., ley ii.) was apparently composed of nobles alone.

⁵ Danvila, I. 160; *Catálogo*, pp. 1–8. Moreover, the name Cortes usually implied an assembly to which the nobles and clergy also came. Altamira, II. 74; *Cortes de León y de Castilla* (henceforth cited as *Cortes*), III. 21; *Nuev. Recop.*, lib. VI., tit. vii., ley ii. There were, however, several assemblies of the third estate alone during this period (e. g., that of Medina del Campo in 1431; cf. *Catálogo*, pp. 54–55, and *Crónica de Juan II.*, año 1431, cap. xxviii. ff.) which took that name, so that the elimination of the two upper estates which culminated under Charles V. was not without medieval precedent.

⁶ The first General Cortes of both realms were held at Seville in 1250; the last separate ones for each realm in the first half of the fourteenth century. Cf. Altamira, II. 74, and Colmeiro, I. 47.

⁷ Altamira, II. 73; Colmeiro, I. 17.

were resident at court; but even these the king had the unquestioned right to omit to summon if he wished.⁸ The representation of the nobles was similarly irregular and determined on each occasion by the royal will. Dukes, marquises, counts, viscounts, *caballeros*, *escuderos*, and *hidalgos* were all apparently eligible for summons to this estate, as were the great officers of the crown, and, after it had been definitely established in the latter part of the fourteenth century, the members of the royal council;⁹ but the king selected whomsoever he pleased on each occasion. Subject-kings of the crown of Castile were also expected to attend or send representatives, when summoned; when the King of Granada acknowledged himself vassal of Ferdinand III., he promised to come to the Cortes with one of his *rico-hombres*, and the name of "Don Mahomat Abenazar, rey de Granada, vasallo del Rey", heads the list of those who confirmed the ordinances of Ferdinand IV. in the Cortes of Medina del Campo in 1305.¹⁰ Attendance, when summoned, was absolutely obligatory in this estate; failure to appear, if not excused, was tantamount to a declaration of revolt.¹¹

In theory, at least, the representation of the third estate was inseparably attached to the municipalities; but as the urban limits did not stop at the city walls, but included neighboring hamlets and isolated houses, the rural communities were not really excluded.¹² During this period, as with the other two estates, the king selected for summons on each occasion as many towns as he pleased, and whichever he pleased, but the tendency was steadily towards diminution. In the Cortes of Leon of 1188, of Seville in 1288, and of Alcalá in 1348, there is reason to think that all the towns in the realm were called on to send representatives.¹³ In the Cortes of Madrid in 1391, forty-nine municipalities sent *procuradores*; in the reign of Ferdinand and Isabella the number was finally fixed at eighteen.¹⁴ The causes which combined to bring about this decrease are too manifold to be considered here; they may be profitably compared to those which operated to bring about a similar result in contemporary England. It is worth mentioning, however, that the

⁸ Colmeiro, I. 16-18. The abbots who had regularly attended in the days of the *concilios* began to drop out in the thirteenth century. Save in the exceptional Cortes of 1527, the last occasion on which they were present was the Cortes of Burgos of 1315.

⁹ Colmeiro, I. 16-17; *Cortes*, II. 189, 314, III. 10.

¹⁰ Colmeiro, I. 16; *Cortes*, I. 178.

¹¹ Colmeiro, I. 17; *Crónica de Pedro I.*, año II., cap. 11.

¹² Colmeiro, I. 18-19; *Cortes*, I. 45, 49; Lavissee and Rambaud, III. 483.

¹³ Colmeiro, I. 19-20; *Crónica de Sancho Cuarto*, cap. 11.

¹⁴ *Cortes*, II. 483-485, IV. 111; Pulgar, *Crónica*, II. xcv. Three other towns acquired representation in the seventeenth century. Cf. Colmeiro, I. 23 ff.

blame for this unfortunate development is to be laid less at the door of the kings than of the towns themselves, which not only lost their early privileges by failing to insist on their observance, but also actually labored, in a spirit of local antagonism, eminently characteristic of Spain, to exclude one another from the right of representation.¹⁵

The number of representatives or *procuradores*¹⁶ each town could send varied, until it was fixed at two by a law of John II. at the request of the Cortes of Madrid of 1429-1430.¹⁷ Another law of the same period specifies that the *procuradores* must be *personas honradas*, and not *labradores* or *sesmeros*.¹⁸ The method of choice of the *procuradores* varied according to the *fuero* or charter of the town that sent them, and for the most part in general consonance with the methods of selection of the local municipal officers. Usually it was determined by lot (*insaculación*); sometimes by election by a more or less restricted number of inhabitants; sometimes by a system by which certain leading citizens served in turn; sometimes by a combination of these methods.¹⁹ Whatever the local practice, it seems clear that up to the second quarter of the fifteenth century the choices were fairly made, without royal interference; but it is equally obvious that from the beginning of the dictatorship of Alvaro de Luna to the accession of Ferdinand and Isabella there were increasingly scandalous corruption and intimidation by the crown and the magnates, until in the reign of Henry the Impotent the king on several occasions actually gave away outright the privilege of representing this or that town without even going through the farce of observance of constituted forms.²⁰ Under the Catholic Kings there is a temporary cessation of these evils, but they begin again and reach their climax under the House of Hapsburg.²¹

Every city represented in Cortes gave its *procuradores* credentials and letters of instruction and guidance, or *poderes*, as they were called. They were carefully worded and the *procuradores* were forbidden to deviate from them in the slightest degree.²² If some unexpected question arose in the Cortes, the *procuradores* usually consulted their constituents before giving their votes, and

¹⁵ Colmeiro, I. 27-28; Cortes, III. 782-785, IV. 233, 239.

¹⁶ On the use of this name see Colmeiro, I. 28, 203; Cortes, I. 170.

¹⁷ Cortes, II. 483-485, III. 85; Nuev. Recop., lib. VI., tit. VII., ley IV.

¹⁸ Nuev. Recop., lib. VI., tit. VII., ley IV.

¹⁹ Marina, I. xx; Colmeiro, I. 29-30, 33-34; Muñoz y Romero, *Fueros Municipales*, *passim*.

²⁰ Colmeiro, I. 30 ff.; Nuev. Recop., lib. VI., tit. VII., leyes V. and VII.; Cortes, III. 85, 101, 135, 270, 407, 569, 715.

²¹ Sandoval, *Carlos V.*, lib. III., section I.; lib. V., section XIII.

²² Colmeiro, I. 37-41; Cortes, III. 642.

they attempted, though unsuccessfully, to wrest from the king the right of interpretation of the *poderes* in case there was some doubt as to their meaning.²³ Until the character of these *poderes* was modified by the monarchs of the House of Hapsburg, their comprehensiveness and definiteness, and the strictness with which they were obeyed, constituted one of the most important safeguards of Castilian parliamentary liberty. The salaries and journey money of the *procuradores* were paid by the towns that sent them, up to the latter part of the fourteenth century.²⁴ Under John II. the custom of the king's paying the salaries began,²⁵ but was supplanted in turn in the sixteenth century by the practice of the Cortes's regularly adding a fixed sum to the *servicio*, "para gastos de Cortes"—a grant which, as experience was to prove, seldom reached its intended destination.²⁶

The right to summon the Cortes was inherent in the crown, an inalienable royal prerogative; in case the king was absent, ill, or under age, it was exercised by his representatives in his name and not of their own right.²⁷ Time and place of meeting were left absolutely to the royal discretion; there was no rule as to the frequency of sessions, or the size, locality, or importance of the place where they occurred; on one occasion the Castilian Cortes met at Bubberca in Aragon.²⁸ At the opening session, which was attended by the king and all three estates, the first business was the presentation of the *poderes* by the *procuradores*. Then followed the speech from the throne, in which the purposes of the meeting were set forth, and formal replies were made by each estate; the head of the House of Lara answering first, for the nobles; the Archbishop of Toledo, next, for the clergy; and finally the city of Burgos for the third estate.²⁹ These formal proceedings over, the estates usually

²³ *Crónica del Rey Juan II.*, año 1430, cap. III.; *Cortes*, III. 407-408.

²⁴ *Cortes*, II. 140.

²⁵ *Crónica de Juan II.*, año 1422, cap. xx.

²⁶ *Cortes*, IV. 259; *Actas de las Cortes de Castilla*, published by the Congreso de los Diputados (cited henceforth as *Actas*), I. 54, III. 82, 140, 145, 272, 299, 438, IV. 88, 107, 236, 381, VI. 306, 315, 319, 653, 719, VII. 47, VIII. 106, 134, 351, 653.

²⁷ Colmeiro, I. 45-48.

²⁸ *Ibid.*, and *Crónica de Pedro I.*, año XIV., cap. III.

²⁹ Colmeiro, I. 52-55. Burgos, however, was unable to assert this privilege without a long and bitter struggle with Toledo, utterly characteristic of the intensely local nature of Spanish pride and patriotism. It lasted from 1348 till 1570; in 1402 the disputants almost assaulted each other; on another occasion the king was obliged to intervene and forcibly eject the two Toledans who had pre-empted the places of Burgos; in 1506 "they all arose and shouted at one another so loud that not a word could be understood." The matter was really settled each time by a compromise. *Crónica de Pedro I.*, año II., cap. xvi.; *Crónica de Juan II.*, año 1406, cap. v.; Marina, I. 258-271; *Actas*, I. 32, III. 24.

separated for deliberation, but communicated with one another by messengers. Of the nature of the debates it is almost impossible to learn anything, but we may safely conjecture that it was very quiet and probably ineffective and disorganized.³⁰ The session lasted till the business was done, but there is no record during this period of prolonged meetings such as took place in the time of Philip II. Lastly occurred the presentation of petitions by the estates to the crown. There was apparently no final meeting of the king and the three estates for formal ratification of what had been done, comparable to the *solio* of the Cortes of Aragon.³¹ The estates usually separated without any guarantees that their wishes would be respected, though it was the usual custom for the government to send back to the cities, and sometimes to the bishops and nobles, full copies of the *cuadernos*, or lists of petitions with the royal answers.³²

Parliamentary privilege in the Castilian Cortes stood very high. In 1302 and 1305 complete security and freedom from arrest and seizure of property were promised the *procuradores* during sessions of the Cortes and while they came and went; and in 1351 this promise was confirmed, save in a few exceptional cases, though subsequent petitions would seem to indicate that the rule was not always enforced.³³ By an ordinance of 1379, the *procuradores* were granted the same entertainment which Las Siete Partidas accorded the king and his immediate followers—a privilege which, again, was by no means invariably realized in fact.³⁴ There was apparently no restriction whatever on freedom of speech during sessions up to the famous case of Dr. Zumel under Charles V.³⁵ The sole occasion earlier than this on which the king attempted in any way to rebuke or punish a *procurador* was that of Mosen Diego de Valera, who wrote a most insolent letter to John II., “on account of which he was in great peril and it was ordered that nothing which was due him from the king should be paid him, not even his wages”, but this was for an act done outside the Cortes, not a part of his official functions.³⁶

The powers of the Castilian Cortes in this period may be classified under three heads—financial, legislative, and miscellaneous.

³⁰ Cf. here Mariéjol, *L'Espagne sous Ferdinand et Isabelle*, p. 141.

³¹ M. J. Gounon-Loubens, *Essais sur l'Administration de la Castille*, pp. 108-109; Marina, I, 304-311.

³² *Cortes*, I, 476; Colmeiro, I, 91.

³³ *Cortes*, I, 163, 180; II, 20, 62, 541.

³⁴ *Partidas*, part II., tit. IX., ley xv.; *Cortes*, II, 287-288, IV, 425; Colmeiro, I, 90.

³⁵ Sandoval, lib. III., sections VII.-X.

³⁶ Colmeiro, I, 96; *Crónica de Juan II.*, año 1448, cap. IV.

From at least as early as the middle of the thirteenth century, it was a recognized custom that when the king desired an extra grant or *servicio* over and above what came to him regularly, of his own right, he must ask it of the national assembly.³⁷ In 1307 this custom passed into written law and was confirmed as such in 1329, 1391, 1393, 1420, and afterwards.³⁸ Moreover, at the close of the fourteenth century, when the Cortes were at the height of their power, this important privilege was buttressed and fortified by several temporarily successful demands for an audit, and occasional insistence on a reduction of the sums the king required.³⁹ Three times, at least, the Cortes even secured a partial right of appropriation of the sums they voted, and once they forced the king to deposit their grant with two persons with the stipulation that nothing should be taken from them save for the Moorish war, for which it had been given.⁴⁰ This seemingly impregnable financial position, however, was seriously weakened in two different ways. First, the fact that the nobles and clergy were generally exempt from taxation (despite several attempts to subject them to it) left the *procuradores* to bear alone the brunt of every financial struggle against the crown, so that they usually submitted tamely to the royal demands as the records plainly show.⁴¹ Second, by utilization of loans, invention of new imposts, and above all by perpetually postponing the definite settlement of the difficult question as to whether or not certain taxes (especially the blighting *alcabala*) could be levied without the consent of the national assembly, the crown was able to gain alternative means of supply and thus circumvent the opposition which it might occasionally be unable to overthrow.⁴² Their failure to make the most of their financial rights cost the Castilian Cortes dear in other directions, as the sequel will show.

The share of the Castilian Cortes in legislation rested on a somewhat different basis. The power to make laws resided exclusively

³⁷ Colmeiro, I. 72.

³⁸ *Cortes*, I. 187, 428, II. 489, 527, III. 23-25, 29, IV. 378; Altamira, II. 73, says that in 1328 it was ordained that unanimity of all the *procuradores* was necessary to the voting of the *servicio*, a statement possibly based on the Madrid copy of the *cuaderno* of the Cortes of 1329, which contains the phrase "otorgados por todos los procuradores". *Cortes*, I. 428 n., 401 n.

³⁹ *Cortes*, II. 408; Colmeiro, I. 77; *Crónica de Juan II.*, año 1406, caps. XI-XII.

⁴⁰ *Cortes*, III. 6, 7; *Crónica de Juan II.*, año 1407, cap. XII, año 1411, cap. VI, año 1418, cap. VIII, año 1425, cap. X.

⁴¹ Colmeiro, I. 79-80, 84-85; *Cortes*, II. 402, 408; *Crónica de Juan II.*, año 1406, cap. XIII.

⁴² *Cortes*, II. 257, 489, 527, III. 97; *Crónica de Juan I.*, año X., cap. III.; will of Isabella the Catholic in Dormer, *Discursos Varios*, pp. 382-383; Colmeiro, I. 79 ff.

in the crown, despite the statements of Marina and other enthusiastic *doceañistas* to the contrary.⁴³ For the revocation of a valid law the consent of the Cortes was necessary, according to an ordinance of 1387, but it is by no means clear that this enactment was rigidly enforced during this period; certainly it was not in the sixteenth century.⁴⁴ The most important part of the Cortes's share in legislation, however, lay not here, but in their right to draw up a set of petitions to the crown, which if accepted became the law of the land. This practice, begun in 1293, became fixed in 1317, and was utilized sometimes by the nobles and clergy, though most frequently, of course, by the third estate.⁴⁵ The petitions range over the very widest diversity of topics—administration of justice, measures of police and public safety, dealings with Moors and Jews, granting of letters of naturalization, standards of weights and measures, *barragania*, or licensed concubinage of the clergy, etc.; some were of general, some of local, import.⁴⁶ Though the Cortes had no means of enforcing their observance they were often accepted and acted upon. That the Castilian assembly was unable to turn this right of petition into a right of legislation (like the English Parliament at this period), was due to its ineffective procedure, its failure to make redress precede supply,⁴⁷ and to the general lack of co-operation and of political opportunism which characterized its members.

Though based on royal promises and valid ordinances, most of the powers of the Castilian Cortes not included under legislation or finance were really only exercised according to the discretion of the crown. Such was the case in respect to their control of foreign policy,⁴⁸ and the provision that they must be consulted in matters of importance to the well-being of the realm.⁴⁹ Their share in the recognition of a new sovereign, however, demands more careful definition. Dr. Zumel in the sixteenth century and Marina in the nineteenth were totally wrong in implying that the validity of a king's accession depended on his recognition by the Cortes, and his swearing to observe the established laws in their presence. It was customary,

⁴³ *Partidas*, part I., tit. I., ley XII.; *Ord. de Alcalá*, tit. XXVIII., ley I.; *Cortes*, I. 542, II. 299, 314, 362-378, 449-450, 471; Colmeiro, I. 66 ff.

⁴⁴ *Cortes*, II. 371-372; cf. also *ibid.*, III. 406-407, and Colmeiro, I. 68.

⁴⁵ *Cortes*, I. 106 ff., 299 ff. Hence the various *ordenamientos de prelados* and *hidalgos*, e. g., in 1295, 1315, 1351, 1390, etc.

⁴⁶ *Cortes*, I. 145, 179, II. 14, 249, 303, III. 389-390, 496; Altamira, II. 71-72.

⁴⁷ Cf. *Cortes*, III. 496; and the unfulfilled law, *Nuev. Recop.*, lib. VI., tit. VII., ley VIII.

⁴⁸ *Cortes*, I. 40, III. 809-810; *Crónica de Juan II.*, año 1429, cap. III., año 1431, cap. XXV., año 1437, cap. VI.; Colmeiro, I. 57 ff.

⁴⁹ *Cortes*, III. 21; *Nuev. Recop.*, lib. VI., tit. VII., ley II.

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indeed, for the national assembly to meet when a king died, to swear to the heir and receive his oath, but this was by no means indispensable to the making of a new monarch.⁵⁰ In the case of the accession of a king under age the powers of the Cortes were somewhat more extensive and included considerable influence in the nomination of regents and their exercise of power; and they usually recognized the heir to the throne during the lifetime of his predecessor, and were empowered to accept royal abdications.⁵¹

Allowing for all limitations, the composition and powers of the Castilian Cortes in the fourteenth and fifteenth centuries indicate, in theory at least, a very high degree of parliamentary development for that period, though far less than the Cortes of the eastern kingdoms, as the sequel will show.

The realms of the crown of Aragon had reached a far more advanced stage of political development than had Castile, in the period with which this essay deals. United under a series of really remarkable monarchs with an active foreign policy, a patriotic aristocracy and third estate prevented healthy centralization from degenerating into harmful despotism. The Cortes of the eastern kingdoms clearly reflect these characteristics: they were much more like the assemblies of modern constitutional monarchies than were the Cortes of Castile, especially in that they realized in fact a far larger proportion of the rights and privileges that they claimed in theory than did the latter. Owing to lack of space it will be impossible to attempt any detailed description of the Cortes of Aragon, Catalonia, and Valencia; I shall merely endeavor to enumerate the principal features that differentiate them from those of Castile and from one another. For the same reason I have omitted any mention of the General Cortes of the three kingdoms, especially since these were, to all intents and purposes, merely a juxtaposition of the Cortes of each separate realm.⁵²

ARAGON.

The origin of the Cortes of Aragon is even more difficult to trace than that of the Cortes of Castile; there is little evidence to connect

⁵⁰ On this cf. Colmeiro, I. 59 ff.; *Partidas*, part II., tit. XIII., leyes XIX. ff.; *Cortes*, III. 1; Marina, II. 24 ff., 47 ff.; *Crónica de Pedro I.*, año II., cap. XII. There are several instances of royal accessions without any celebration of the Cortes till long afterwards.

⁵¹ Colmeiro, I. 60-63, 150-151; *Cortes*, I. 132; Altamira, I. 574. When Charles V. abdicated without consulting the Cortes he frankly recognized that he violated precedent. Sandoval, lib. XXXII., section xxxviii.

⁵² Cf. here Mariéjol, *L'Espagne*, p. 145; Coroleu and Pella, pp. 99-103.

them with the ancient Visigothic *concilios*.⁵³ It is probable that the earlier writers have been mistaken in giving the name Cortes to the famous assembly at Jaca in 1071; certainly the third estate was not represented till 1134 at the earliest, probably not till 1163, and possibly not till the thirteenth century.⁵⁴ Apparently the clergy were unaccountably slow in asserting their right to sit in the national assembly. They sent two representatives in 1247 and again in 1265, but according to Blancas were not really admitted as an estate of the realm till 1301.⁵⁵ We can scarcely regard the Aragonese Cortes as completely organized till the beginning of the fourteenth century.

Three distinguishing features of their composition deserve to be mentioned, in all of which they contrast sharply with the Cortes of Castile. In the first place, the Aragonese aristocracy, the most ancient and powerful estate of the realm, was divided, according to degree, into two categories, which sat in two separate houses—the *brazo noble* and the *brazo de caballeros*—so that the Cortes of this kingdom was composed of four estates instead of three.⁵⁶ Second, the *ricos-hombres* (or members of the *brazo noble*) and *caballeros* had the right to attend the Cortes, even though not summoned by the king, provided they could prove their rank and lineage, and show that they held no municipal office enabling them to vote for *procuradores* of the third estate, and so to obtain double representation; and cities and towns which could show that they had been summoned once to send representatives continued to enjoy that privilege. The membership of the clerical estate was also pretty definitely fixed by the beginning of the fourteenth century, so that the composition of the Aragonese Cortes as a whole was by no means as largely controlled by the crown as was that of the Cortes of Castile.⁵⁷ Members of the clerical estate and of the *brazo noble*, moreover, enjoyed the right to send to the Cortes *procuradores* or substitutes in their places, and this privilege extended to *ricos-hombres* who were under age, and occasionally to women of high rank; the *caballeros*, on the other hand, were always obliged to attend in person.⁵⁸ Third, the Justicia of Aragon was “Juez de las Cortes”, and his presence, or

⁵³ Marichalar and Manrique (cited hereafter as “M. and M.”), VI. 165 ff.; V. Lafuente, *Las Primeras Cortes de Aragón*, in *Obras*, II. 14-76.

⁵⁴ *Ibid.*, and Bofarull, *Documentos Inéditos*, I.-VIII., *passim*; Zurita, *Anales*, lib. I., cap. LIII., lib. II., cap. XXIV.; Danvila, *Poder Civil*, I. 328; and Danvila, *Valencia*, p. 274; Altamira, I. 456; Swift, *James the First of Aragon*, pp. 160 ff.; Diercks, II. 164 ff. An accurate and final settlement of the date of the advent of the third estate would be of importance as determining the question of priority between Aragon and Castile.

⁵⁵ Blancas, *Modo de proceder*, cap. vi.; M. and M., VI. 170.

⁵⁶ Blancas, *ibid.*; Martel, *Forma de celebrar*, caps. x., xvi.

⁵⁷ *Ibid.*; and M. and M., VI. 170-178.

⁵⁸ M. and M., VI. 174-175; Martel, caps. XVIII.-XXI.

that of one of his lieutenants, was necessary for the meeting of the assembly.⁵⁹

The king alone could summon the Cortes, and his presence was a *sine qua non* of their opening and celebration; if he deputed this function to another, the Cortes had to sanction it every time.⁶⁰ They must meet in Aragon, in a place of at least 400 houses and on royal domain.⁶¹ Clauses demanding annual Cortes in the General Privilege of 1283 and in the Privilege of Union in 1287 apparently were superseded in 1307 by a law providing for meetings of the Cortes once in two years; neither of these requirements, however, was observed in practice.⁶² The forms, ceremonies, and order of seating in the opening session were carefully and minutely regulated.⁶³ Particularly noteworthy was the complicated arrangement for three prorogations of four days each in order to give tardy members a chance to arrive; and in case of their failure to do so after the expiration of twelve days, the formal pronouncement of their contumacy by the Justicia.⁶⁴ When the estates separated for the transaction of business, each one of them proceeded to elect *habilitadores* (four for the *caballeros* and two from each of the other *brazos*), whose duty it was to examine the summons, *poderes*, and proofs of qualification to sit of every member of the estate in question.⁶⁵ This process of *habilitacion* was very strictly carried out: the slightest deviation from the established rule excluded. Appeal from the sentence of the *habilitadores* lay to the Justicia, who took the matter before the full Cortes.⁶⁶ After 1436 it was customary for each estate to nominate *promovedores* to regulate and propound business, and from a much earlier date *tratadores* to deal with the other estates and the king, who also named *tratadores* of his own.⁶⁷ In theory absolute unanimity of every member of each *brazo* was required on every measure, a fact which has caused some writers to exclaim that the passage of every law was a miracle in Aragon.⁶⁸

⁵⁹ Martel, cap. xxxvii. On the Justicia see M. and M., VI. 265-398; J. Ribera, *Orígenes del Justicia de Aragón*, and articles by A. G. Soler in *Revista de Archivos, Bibliotecas y Museos* (tercera época), V. 201 ff., 454 ff., 625 ff.

⁶⁰ Martel, caps. v. and vi.; Blancas, cap. iii.

⁶¹ Martel, cap. vii.; Blancas, cap. iv.

⁶² *Fueros de Aragon*, I. 6; M. and M., VI. 203. See also the list of Cortes in the *Catálogo* and in Antequera, pp. 631-632. The text of the General Privilege is to be found in the *Fueros de Aragón*, I. 6-9, and that of the Privilege of Union in M. and M., V. 34-40.

⁶³ Martel, caps. xxx. ff.; Blancas, caps. viii.-x.; Berart, cap. iii.

⁶⁴ Martel, caps. xxxiii. and xxxiv.

⁶⁵ Martel, caps. xlii. and xliii.; Blancas, cap. xvi.; Berart, cap. vi.

⁶⁶ M. and M., VI. 213-214.

⁶⁷ Martel, caps. xlv.-l.; M. and M., VI. 214-216.

⁶⁸ Danvila, *Poder Civil*, I. 330.

Practically, however, it would seem that a great many pieces of business were decided by majority vote, and moreover the practice of nominating by majority vote a committee of four or more members for each *brazo*, with full powers to transact business, often rendered the provision requiring unanimity quite nugatory.⁶⁹

Last of all came the *solio* or formal meeting of king and estates, in which all the measures of the session were solemnly proclaimed and sworn to—an admirable means of preventing the sovereign from ignoring those doings of the assembly which were not to his liking.⁷⁰ And as a final method to secure this end, a committee of the estates, or Diputación del Reyno, usually composed of two members of each *brazo*, was chosen to remain in session during intervals between sessions, to watch over the observance of the laws, and report to the Cortes any infraction of them. A full account of the duties and powers of this body will be found in the Fueros of Aragon; they may perhaps be summarized under three heads: (1) to oversee the administration of the public revenue (not the *patrimonio real*); (2) to deal with all infractions of the *fueros* by public officials or private persons; (3) to keep the peace, in company with the Justicia of Aragon.⁷¹

The powers of the Aragonese Cortes may be briefly stated as follows. Their consent was absolutely necessary to the passing of all laws—the king, unlike the Castilian monarch, could not legislate without them.⁷² By them alone could an extra grant, over and above what came to the king in his own right, be made;⁷³ without their consent no new tribute or duty could be imposed, nor the rate of an old one diminished or increased.⁷⁴ The Cortes received the oath of a new king to observe the laws, and recognized him as monarch; they alone could grant letters of naturalization; truces, peaces, and declarations of war were usually ratified by them; occasionally they confirmed and even nominated ambassadors.⁷⁵ Though the

⁶⁹ Such is the theory of M. and M., VI. 217–220. Apparently in case such committees were appointed, the *procuradores* of Saragossa invariably constituted one-half of that of the third estate, so that no measure could be adopted on such occasions without the consent of the capital of the realm.

⁷⁰ Martel, cap. LXXVIII.; M. and M., VI. 222.

⁷¹ *Fueros de Aragón*, I. 26, 46, 66, 72, 75, 107, 213–215, 221, 223–225, 236, 242, 244, 265–266, 268–270, 284.

⁷² Blancas, cap. XIX.; Berart, fols. 20 ff.; M. and M., VI. 186–187. Hence the formula which usually precedes the Aragonese laws: “El señor Rey de voluntad de la Corte estatuesce y ordena.” Cf. *Fueros de Aragón*, *passim*.

⁷³ Blancas, cap. XVIII.; Martel, cap. LXXI.; Berart, fol. 33; M. and M., VI. 189 ff.

⁷⁴ *Fueros de Aragón*, II., Actas de Cortes, pp. 10 ff.; Zurita, lib. IV., cap. xxxviii.; Martel, caps. LXXII.–LXXV.; Berart, fols. 33–37; M. and M., VI. 190.

⁷⁵ M. and M., VI. 188–189, 195; Lea, *Inquisition*, I. 229; Balaguer, *Obras*, VII. 120–123.

power over the appointment of the chief officers of state granted them in the Privilege of Union would seem to have lapsed with the abolition of that Privilege in 1348, there are subsequent cases where such a power was claimed and exercised.⁷⁶ Up to 1461 the Cortes were charged with the *residencia* of the Justicia, and up to 1348 they heard many of the disputes between king and subjects, which at that date were transferred to that tribunal.⁷⁷ Finally they had a most extensive power of investigating, in conjunction with the Justicia, *greujes*, or wrongs done by the king, his officers, or the estates, to one another, to individuals, or groups of individuals of whatever rank, or vice versa, in defiance of the laws, and of demanding that justice be done.⁷⁸ The procedure and other powers of the Cortes were such as ensured attention to these demands.

CATALONIA.

It seems probable that the Cortes of Catalonia developed gradually out of the assembly of the feudatories of the Counts of Barcelona. The date of the advent in them of the third estate is a matter of dispute,⁷⁹ but for the purpose of the present article it will suffice to begin with the year 1283, when as an echo of the issue of the struggle over the General Privilege in Aragon, Pedro III. was obliged to promise to summon once a year in Catalonia an assembly of nobles, clergy, and third estate to discuss the welfare of the realm, unless hindered by some good and sufficient cause.⁸⁰ There were but three *braços* in the Catalonian Cortes; several attempts were indeed made in the late fourteenth and early fifteenth centuries to create a "*Braç dels cavallers generosos é homens de paratge*" on the model of the *brazo de caballeros* of the Cortes of Aragon, but they never met with any permanent success.⁸¹ About a dozen towns and cities were

⁷⁶ Zurita, lib. X., caps. xxxiv. and xliii.; M. and M., V. 38, VI. 194.

⁷⁷ M. and M., VI. 195-196.

⁷⁸ Martel, caps. liv.-lix.; Blancas, cap. xiv.; Berart, fol. 27.

⁷⁹ On this see *Cortes de Cataluña*, vol. I., pt. I., pp. 3 ff.; M. and M., VI. 509-510, VII. 196-220; Coroleu and Pella, cap. I.; Danvila, *Poder Civil*, I. 259; Danvila, *Valencia*, p. 275; Altamira, I. 469; Altamira, in *Revue Historique*, LXXIV. 143; Fidel Fita in *Boletín de la Real Academia de Historia*, XVII. 385-428; Balaguer, *Historia de Cataluña*, lib. III., cap. x. The assembly of 1064, which approved and promulgated the *Usajes*, was probably the first assembly in Spain of a legislative character, and dealing with political affairs, composed exclusively of secular persons; but the evidence of the presence of the third estate is slight. It is safe to say that the representatives of the municipalities did not enter the Catalonian Cortes till the early thirteenth century, and that their rights there were not definitely recognized till 1283.

⁸⁰ *Cortes de Cataluña*, vol. I., pt. I., p. 147.

⁸¹ *Cortes de Cataluña*, VII. 46 ff.; M. and M., VII. 198-199; Coroleu and Pella, pp. 58-59.

usually represented in the third estate;⁸² most of them sent one *procurador* or *síndico*, several sent two, but Barcelona sent five and sometimes more. Apparently each town had but one vote, irrespective of the number of its representatives,⁸³ but Barcelona's predominance was perfectly obvious and deeply resented.⁸⁴ The method of selection of the municipal representatives varied in this period according to local custom—not until the reign of Ferdinand and Isabella did *insaculación* become the regular practice.⁸⁵ Full and definite instructions were given to the *síndicos* by the Concejo of the municipality they represented (in Barcelona this function was performed by the Vintiquatrena de Cort—a most interesting body—a sort of permanent commission of the Concejo, selected for the special purpose of supervising and counselling the *síndicos*, even down to the minutest details of their private life).⁸⁶ Neglect of these instructions might subject the delinquents to the censures of the Church or even to a revocation of their powers.⁸⁷ The crown selected the day and place of meeting; the latter must be in Catalonia and a town of at least two hundred houses.⁸⁸ In 1301 the law demanding annual Cortes was changed to a provision for triennial ones, but the records show that even this was not always observed.⁸⁹

Perhaps the most striking feature of the intensely formal and rigid procedure of the Catalonian Cortes was the complicated ceremony of the *habilitación*. No less than thirty-six rules were laid down concerning the qualifications of members.⁹⁰ Unanimity of votes, obligatory in all four estates in Aragon, was restricted here to the nobles.⁹¹ There was, of course, no Justicia. At the concluding session or *solio*, which resembled that of Aragon, the sovereign was obliged to swear to the measures which the Cortes had passed, before he was granted the *donativo*.⁹² From the end of the fourteenth century a Diputación General of six persons, one from

⁸² *Cortes de Cataluña*, *passim*. A list of the towns which had sent representatives to the Cortes of Aragon, Catalonia, and Valencia before 1700 is to be found in Capmany, pp. 4-5.

⁸³ See Peguera in Capmany, p. 66; M. and M., VII. 201, 211-212; and Coroleu and Pella, p. 61; but see also Altamira, I. 469.

⁸⁴ *Cortes de Cataluña*, VII. 46 ff.

⁸⁵ Coroleu and Pella, pp. 69-83.

⁸⁶ *Ibid.*, pp. 84-86.

⁸⁷ *Ibid.*, pp. 86-94.

⁸⁸ *Ibid.*, pp. 33-37.

⁸⁹ *Cortes de Cataluña*, vol. I., pt. I., pp. 185-186, and *passim*; M. and M., VII. 204. See also list of Cortes in the *Catálogo* and in Antequera, pp. 632-633.

⁹⁰ M. and M., VII. 206-209; Coroleu and Pella, pp. 107-108.

⁹¹ M. and M., VII. 211; Coroleu and Pella, pp. 116-131; Fontanella, vol. I., claus. III., gloss. III., sections 72 ff.

⁹² M. and M., VII. 212-214; Coroleu and Pella, pp. 131-133.

each estate and three *oidores de cuentas*, with powers similar to the corresponding institution in Aragon, acted during the intervals between the sessions.⁹³

The powers of the Catalanian Cortes were very extensive. To them a new monarch must swear to observe the laws and liberties of Catalonia before receiving their oath of fidelity.⁹⁴ The sovereign could not legislate, nor abrogate or suspend legislation without their consent, though he might issue ordinances in consonance with, or supplementary to, existing laws.⁹⁵ Their financial powers and those of the Diputación General—similar to those of the corresponding institutions in Aragon—were perhaps of greater importance, owing to the smallness of the private revenue of the crown, and they gave the Catalanian Cortes a great hold on the general administration and policy of the land.⁹⁶ Finally, through committees, they exercised wide powers of inspection and control over royal officers, over the interpretation and execution of the laws; and they presented *agravios* or grievances for rectification.⁹⁷ Altogether the Cortes of Catalonia in this period resembled a modern legislative body perhaps more closely than any other in the peninsula; more powerful than those of Castile, they were free from most of the anomalies which occasionally crippled the efficiency of those of Aragon.⁹⁸

VALENCIA.

The Cortes of Valencia possessed all, or nearly all, the distinctive features characteristic of the Cortes of the eastern kingdoms—extensive powers in legislation, administration, and finance, and an efficient method of procedure with *tratadores*, *solio*, and Diputación del Reyno. They resembled much more closely, however, the Cortes of Catalonia than those of Aragon. They were composed of three *brazos* instead of four, with unanimity obligatory only in the nobles; there was no Justicia; an unenforced law provided for a meeting every three years.⁹⁹ They date from the reign of James the Con-

⁹³ M. and M., VII. 386-388.

⁹⁴ *Ibid.*, VII. 215-216; Coroleu and Pella, pp. 16-18, 48 n., citing Calicio, Fontanella, Ripoll, and Berart.

⁹⁵ *Cortes de Cataluña*, vol. I., pt. I., p. 193; Fontanella, vol. I., claus. III., gloss. III., sections 67-70; M. and M., VII. 216-217; Coroleu and Pella, pp. 15-16, 18.

⁹⁶ Coroleu and Pella, pp. 114-115.

⁹⁷ *Cortes de Cataluña*, vol. I., pt. I., pp. 219 ff., 263-265; M. and M., VII. 217-218.

⁹⁸ Coroleu and Pella, pp. 137-158.

⁹⁹ Cf. Matheu y Sanz, Belluga, and Villaroya in Capmany, pp. 161-214; M. and M., VII. 453-454; Danvila, *Poder Civil*, I. 361-363.

queror, who drove the Moors out of Valencia, but, like the Cortes of Catalonia, they cannot be regarded as firmly established till the time of Pedro the Great and the General Privilege (1283).¹⁰⁰

Two or three peculiarities remain to be noted. The preponderance of the city of Valencia in the third estate was far clearer than that of Barcelona in the Catalanian, or of Saragossa in the Aragonese, Cortes. It held no less than five votes, while the other cities held but one apiece, and it apparently claimed always to represent one-half the *brazo real*, no matter how many other cities sent delegates; this exaggerated pretension, however, was not made good.¹⁰¹ Another interesting point is the privilege held by the Valencian estates of meeting separately without the royal summons, after the Cortes had been formally dissolved by the king, to deal with such matters as concerned each one and to present petitions to the crown. When they met in this way, they took the name of *estamentos*, instead of *braços*.¹⁰² According to Marichalar and Manrique, the third estate on these occasions was represented merely by the deputies of the city of Valencia, since the other towns of the realm were not allowed to send delegates without a summons from the crown.¹⁰³ Apparently the provision demanding unanimity in the nobles caused trouble again and again. As late as 1645, when there was a question of extending the session into the night in order to conclude some important piece of business, and over fifty nobles had agreed to do so, one member declined on the ground that he was tired and wanted to go to bed; on his refusal to yield to the representations of the rest, an old and irritable baron arose and demanded that "that idiot be thrown into the street". The irreconcilable was accordingly ejected from the room, and the session continued.¹⁰⁴

NAVARRÉ.

The Cortes of Navarre in the fourteenth and fifteenth centuries were quite as much a French as a Spanish institution, for the country was ruled by French sovereigns during this period, and, despite the statements of the older historians to the contrary, it is by no means certain that there was anything which could be fairly called

¹⁰⁰ Danvila, *Valencia*, cap. vii., which corrects the *Catálogo*; Altamira, I. 478.

¹⁰¹ Matheu y Sanz in Capmany, p. 185; M. and M., VII. 456; Danvila, *Valencia*, pp. 284-285. Cf. the position of Saragossa on committees of the third estate in Aragon.

¹⁰² M. and M., VII. 456-457; Danvila, *Valencia*, p. 285.

¹⁰³ M. and M., VII. 457.

¹⁰⁴ *Ibid.*, VII. 455-456.

Cortes under the line of Spanish kings which ended in 1234.¹⁰⁵ Councils of magnates doubtless met, from the earliest times, and formed a background for a regular national assembly, but we may be certain that the third estate had no share in legislation till well into the fourteenth century, and that the beginning of the Cortes's financial power dates from the accession of the House of Évreux.¹⁰⁶ When once attained, however, the national assembly's control of the revenue was of the very greatest importance, and after the beginning of the fifteenth century included the very unusual right of voting regular as well as special taxes.¹⁰⁷ If this power had been properly used it would have placed the Navarrese Cortes in an almost impregnable position. Unfortunately, a total lack of effective procedure was enough to render nugatory this advantage. Castilian rather than Aragonese models were followed in this respect; and for a long time the vote of any two estates was enough to pass a measure without the consent of the third.¹⁰⁸ It is, however, worthy of note that Navarre managed to preserve its native institutions, though with some modifications, longer than any of the other kingdoms, the last session of the Navarrese Cortes being celebrated in 1828, more than a hundred years after the slovenly demise of the national assembly of Castile, and the forcible abolition of those of Aragon, Catalonia, and Valencia.¹⁰⁹

The writer is painfully conscious that he has merely scratched the surface of a topic well worthy of several large volumes. As his excuse he must plead the present inaccessibility of important material and the limitations of space imposed by the stern decree of the editor of this REVIEW. But he has felt that it was worth while—even if it were only to indicate some of the authorities from which fuller information may be obtained—to draw the attention of historical students in this country to a field comparatively unexplored, and of the richest possibilities, and one some knowledge of which is absolutely indispensable to a thorough understanding of the work of Spain in the New World. Students of medieval institutions will

¹⁰⁵ On this topic cf. Ant. Chavier, *Fueros de Navarra* (Pamplona, 1686); Harregui and Lapuerta, *Fuero General de Navarra* (Pamplona, 1869); Joseph de Moret, *Annales and Investigaciones de Navarra* (7 vols., Pamplona, 1766); M. and M., IV. 399-423; Danvila, *Poder Civil*, I. 217-219; Altamira, I. 481; G. B. de Lagrèze, *La Navarre Française*, vol. II., ch. VII.

¹⁰⁶ *Fuero General de Navarra*, lib. III., tit. XXII., cap. 1.; M. and M., IV. 413-416.

¹⁰⁷ On the reasons for this cf. M. and M., IV. 416-419.

¹⁰⁸ *Ibid.*, pp. 419-423; Danvila, *Poder Civil*, I. 219-220.

¹⁰⁹ Antequera, p. 635.

find food for thought in carrying the comparison beyond the limits of the Iberian peninsula and noting the similarities and differences between the various Cortes and the English parliaments of the same period. Their investigations will probably lead them to the conclusion that, speaking broadly, the claim of the people to a share in the government was considerably more fully recognized, theoretically at least, in Spain than in England, at that stage of their development.

ROGER BIGELOW MERRIMAN.

HORACE WALPOLE'S MEMOIRS OF THE REIGN OF GEORGE THE THIRD, II.

IN the first part of this article an attempt was made to show that Walpole's *Memoirs of George III.*, supposedly written between the years 1766 and 1772, give expression to a theory of the reign of George III. which is inconsistent with ideas expressed by the author in letters written between 1760 and 1772. It was discovered, further, that in 1775 Walpole "transcribed" at least a considerable portion of the *Memoirs*, and that in 1784 he inserted some new material in the fourth volume. And, finally, it was found that the insertions of 1784 expressed opinions in marked contrast with the opinions of the letters written before 1775, but identical with the opinions of the letters written after that date. A more difficult question now presents itself: to what extent were the first three volumes revised in 1784? Having answered this question, an effort will be made to estimate the general importance of the revision as a whole.

It will be remembered that the only precise references to a date subsequent to 1775, except in the foot-notes, occur in the fourth volume. It will also be remembered that the note in which Walpole says "as I transcribe these *Memoirs*—in June, 1775", is at page 24 of volume three. It might be assumed, therefore, that Walpole continued the "transcribing" until he reached the ministry of Lord North, and then laid the work aside because the American war was changing his opinion of Lord North, and because even the beginning of North's ministry could be treated satisfactorily only after the result of the quarrel with America was known. This assumption would explain why there is no reference to a date subsequent to 1775 in the first three volumes, which is a fact needing explanation if we suppose that the first three volumes, as well as the fourth, were revised in 1784. The difficulty with this hypothesis is that there are many passages in the first volume which, without specifically referring to dates or events subsequent to 1775, have all the other marks leading one to suppose that they were written in 1784 rather than at any earlier date. These passages are scattered throughout the first volume, and they embody opinions about Bute and the "Junto", the Scots and the Tories, the prerogative, Lord North, and the king, which we do not find Walpole giving expression to elsewhere until after 1775. Let us examine some of these passages.

The tone of much of the first volume is given at the outset. Two paragraphs are devoted to elaborating the statement that "No British monarch has ascended the throne with so many advantages as George the Third."¹ And yet, in spite of these advantages, "A passionate, domineering woman, and a Favourite, without talents, soon drew a cloud over this shining prospect. Without anticipating events too hastily, let it suffice to say that the measure of war was pushed, without even a desire that it should be successful; and that, although successful, it was unnaturally checked by a peace, too precipitate, too indigested, and too shameful, to merit the coldest eulogy of moderation."² At the time of the peace, as we have seen from the letters, Walpole was for peace at any price. To be sure, he did not vote for the peace. But neither did he vote against it. His reason for not voting at all was undoubtedly the fact that Fox tried to bribe him to vote with the government. Now, if Walpole wanted peace at any price, as the letters assert, this offer of a bribe put him in an impossible position: he wished to vote for the peace, but he wished also to show Fox that he could not be bribed; to leave the House before the vote was taken was the most natural escape from such a dilemma.³ On the other hand, if Walpole believed, as he says in the *Memoirs*, that the peace was "too shameful to merit the coldest eulogy of moderation", there was every reason for voting against it; the offer of a bribe would be only an additional reason for doing just that thing. These events, it is true, occurred before Walpole began to write the *Memoirs*; but at no time from 1766 to 1772 does he express, in the letters, any pronounced opposition to the Peace of Paris. He says very little about it, indeed, until towards the close of the American war. Then, the prospect of another treaty with France, likely indeed to prove shameful, turned his attention to the last one, which now seemed shameful too. France "never wants a Lord Bolingbroke or a Lord Bute to negotiate for our shame", he writes in 1780.⁴ And again, in 1783, he refers to "The Peace of Paris, more ignominious as the termination of a most triumphant war".⁵

¹ *Memoirs*, I. 3, 4.

² *Ibid.*, pp. 4, 5.

³ Walpole explains his refusal to vote for or against the peace, in the *Memoirs*, thus: "Yet was I not so steeled by the glories of the war as to be insensible to the yearnings of humanity; and therefore, ignominious as the articles were, my conscience would not suffer me to speak against a treaty that would stop such effusion of blood." *Memoirs*, I. 167. The sentiments expressed in the letters (see first installment, January number, p. 262, n. 41) and Walpole's own account of Fox's attempt to bribe him (*Memoirs*, I. 168) make it impossible to accept this explanation as the true one.

⁴ *Letters*, XI. 235.

⁵ *Ibid.*, XII. 412.

It is in keeping with this attitude towards the Peace of Paris that Walpole takes pains in the *Memoirs* to justify Pitt in resigning in October, 1761, although in the letters he condemns him, and is merry and bitter by turns over the pension. In the letters we learn that the resignation is a fatal event. "Next to pitying our country . . . I feel for the young King. It is hard to have so bright a dawn so soon overcast!"⁶ "It is a most unhappy event."⁷ "You may see what a beneficial, what a splendid peace we might have had; you will not so easily find the reason why we rejected it."⁸ The *Memoirs* read very differently. "His hands tied, the nation affronted, and duped by the partial breaking off of the treaty with France, no proper resentment permitted against Spain, Mr. Pitt found he could do no farther good. His character had been lost by acquiescence; and nothing could rouse the nation, but his quitting the sphere of business, where he was so treacherously controlled."⁹ In the next chapter Walpole details the speeches in Parliament in the November following the resignation. Pitt's great speech is given at considerable length, and is characterized, at the close, as "guarded, artful, and inflammatory."¹⁰ But at the close of the chapter there is a paragraph which reads like an apology for leaving with the reader what is perhaps an unfavorable impression of the Great Commoner. The tone of the paragraph is so in keeping with the tone of the letters of 1783-1784 that it may be worth while to quote it in full.

The recapitulation of many speeches may perhaps weary the reader, but, in equity, he must remember that at this period at least it was essential to detail them. When Mr. Pitt was driven from the management of the war, he existed as a public man; but in his speeches and past services, his own defence of his measures was necessary from his own mouth. Libels on libels were published against him, and he wrote none. I am sensible that I do not do justice to his arguments, and less to his eloquence; but what I give was faithfully taken from his own mouth in the House of Commons; and unless better transcripts appear, this rude sketch may be welcome to posterity. No flattery is intended to him. When I thought him blameable, I have marked it, as will appear hereafter, with the same impartiality. The debates, too, of a free nation, arrived at the summit of its glory, may be worthy the attention of future times. Our descendants will see what their ancestors were in arms and eloquence, and what liberty they enjoyed of discussing their own interests. Grant, Heaven, they may not read it with a sigh; reading it in bondage and ignominy!"¹¹

⁶ *Letters*, V. 124.

⁷ *Ibid.*, V. 125.

⁸ *Ibid.*, V. 141. See also pp. 129, 131, 133, 135, 139, 141.

⁹ *Memoirs*, I. 62.

¹⁰ *Ibid.*, p. 77.

¹¹ *Ibid.*, p. 83.

The shameful peace and the reverses of Pitt were due, Walpole gives us to understand, to Lord Bute and his tools, the Scots and the Tories. These constituted the "Junto" which, through the princess, exercised a controlling influence in the government.¹² And the settled purpose of the Junto was to restore the prerogative. "The King *would* be King", it was publicly asserted. "The prerogative was to shine out";¹³ "The views of the Court were so fully manifested afterwards, that no doubt can be entertained but a plan had been early formed of carrying the prerogative to very unusual heights."¹⁴ "The Tories . . . came to Court . . . but they came with all their old prejudices. They abjured their ancient master, but retained their principles; . . . *Prerogative* became a fashionable word; and the language of the times was altered before the Favourite dared to make any variation in the Ministry."¹⁵ The influence of the Junto did not end with Lord Bute's ministry, for, as Bute himself said, "whatever the ministers might think, they should find he himself was minister still." And Walpole adds, "A memorable sentence, confirmed by facts, and of which the contrary assertion was vainly attempted afterwards to be imposed upon the world."¹⁶ Lord North, too, instead of the "honest" and "moderate" man of the letters, is a tool of the Junto. "Lord North was the chief manager for the Court . . . his coarse figure, and rude untempered style, contributed to make the cause into which he had unnecessarily thrust himself appear still more odious."¹⁷

This attitude, which pervades the first volume, is not at all what one expects after reading the letters of the period when the first draft was composed. There is reason, as will be seen presently, for supposing that in the original draft Walpole was mainly intent on detailing the events of the period covered by the second and third volumes, which was the period in which he was himself active in politics, and that the events of the period covered by the first volume were briefly sketched as a kind of introduction. Whether this assumption is tenable or not, but especially if it is tenable, we should expect to find in the first volume less emphasis on the Junto and Lord Bute and more on the "Cabal" and Grenville, because after 1763 it was never Bute so much as Grenville whom Walpole disliked and feared: it was Grenville who was responsible for the dismissal of Conway; it was Grenville who bungled the Regency affair

¹² *Ibid.*, pp. 13-16, 29, 42, 44, 47, 109, 115, 140, 158, 211.

¹³ *Ibid.*, p. 158.

¹⁴ *Ibid.*, p. 14.

¹⁵ *Ibid.*, p. 13.

¹⁶ *Ibid.*, p. 237.

¹⁷ *Ibid.*, p. 257.

it was Grenville who was the leader of the opposition during the later ministries in which Walpole was interested. Bute, on the other hand, was the principal enemy of Grenville and is therefore not infrequently in Walpole's good graces; he would have Bute bind himself hand and foot to Pitt rather than submit to such wretches as Grenville, and Bute later served the very useful purpose of keeping the Pitt and Grafton ministries firm. Nor should we expect to find so much emphasis on the danger from the prerogative, since, after 1763, it was never the prerogative so much as the aristocracy that Walpole felt to be the chief danger to the Constitution.¹⁸ The whole tone of the first volume, indeed, in so far as it deals with these matters, is inconsistent with Walpole's known views at the time he was writing the original draft, but is consistent with his known views after the American war.

In the second and third volumes, on the other hand, this is not the case, or it is the case to a very much less extent. With few exceptions¹⁹ the attitude towards Bute and Pitt, towards the Scots and the Tories, towards the princess and the king, is much the same as in the letters. The Junto or the Cabal is mentioned, but it is as often a cabal against the king as in his favor.²⁰ The style too is on the whole more matter-of-fact; the bitter or the regretful tone of the period of the American war is less pronounced when it appears at all, which it rarely does. And yet, if these volumes were revised in 1784, one would expect to find here not only the style of the later period, but some reference to the American war and the loss of the colonies, for the second volume deals with the Stamp Act, which certainly offered an excellent opportunity to connect the early part of the reign with the later. The remarks on the Stamp Act, however, are just what one might expect Walpole to make in 1775. He gives several pages to the subject, but the nearest he comes to mentioning the events of the period after 1775 is in saying that Grenville ignored the "opportunity he threw into the hands of Spain and France, of exciting a mutinous spirit in our colonies, and when occasion should serve, of throwing assistance into them against their parent".²¹ That the war with the colonies was the opportunity of France and Spain, Walpole, or any one else, could of course foresee in 1775.²² The passages on the Stamp Act seem to show, therefore, that this part of the Memoirs was revised in 1775 but not in 1784. There are some other passages in the second volume that indicate

¹⁸ See first installment, January number, pp. 262-263.

¹⁹ See *Memoirs*, II. 2, 66, 71, 184; III. 147.

²⁰ *Ibid.*, II. 13, 14, 66, 67, 73, 75, 115, 122, 129, 297; III. 158.

²¹ *Ibid.*, II. 51.

²² Cf. letter to Mann, September 7, 1775. *Letters*, IX. 245.

the same thing.²³ It is not till near the end of the third volume that we find passages which recall the ideas and spirit of 1784.²⁴ Is it probable, then, that the revision of 1775 was discontinued near the end of the third volume, that in 1784 the last part of the third and the whole of the fourth volume were revised, and that at the same time, or perhaps later still, the first volume was revised a second time? The adoption of such an hypothesis, however, makes it necessary to explain why Walpole should have thought it necessary to revise the first volume a second time without in like manner revising the second and third volumes; if the revision of 1775 was satisfactory for the latter, why was it not satisfactory for the former as well? A possible answer to this question will suggest itself as soon as we know Walpole's reasons for writing the *Memoirs* originally, and his reasons for revising them in 1784. Let us consider these two points.

What was Walpole's purpose in writing the *Memoirs* originally? In answering this question it must be remembered that Walpole was the author of many books. His earliest ambition was to be a poet,²⁵ and it cannot be supposed that he was ever indifferent to fame.²⁶ To be sure, he wished not to be classed with authors, and affected to regard his own works as of no consequence whatever.²⁷ The truth is that Walpole was as proud and sensitive as any man alive.²⁸ What he despised was the professional hack writer, hat in hand before some noble patron or other.²⁹ What he feared was to be known to strive diligently for excellence and then to be known to fall short of it. To be known as a lazy trifler whose cleverness enabled him to throw off many books without effort, was well enough; even if he did no more than fashion odd curios of literature, interesting to "men of parts", no one could say that he had failed, since he had never had high aims. It was not indifference to fame, but the sensitive fear of having loved and lost, that is at the root of Walpole's literary pose.³⁰ Writing was the business of

²³ Cf. paragraph at top of p. 67, vol. II., with note 1 of same page. In like manner notice the implication of note 1, p. 242, of same volume.

²⁴ Cf. *Memoirs*, III. 174, 179, 182, 232, 260.

²⁵ *Letters*, VII. 279. See also VIII. 245.

²⁶ *Ibid.*, V. 268; VII. 161, 180, 386; X. 305.

²⁷ *Ibid.*, V. 187, 237, 349; VII. 63, 161, 404; VIII. 41; IX. 194, 384; X. 29, 305; XII. 77; XIII. 202; XV. 331.

²⁸ "I believe I have more pride than most men alive", etc. *Ibid.*, XV. 189.

²⁹ *Ibid.*, V. 448; VII. 63, 332; XV. 189.

³⁰ "I have learnt and have practised the humiliating task of comparing myself with great authors; and that comparison has annihilated all the flattery that self-love could suggest." *Ibid.*, XIII. 204. Walpole's naïveté in respect to the *Castle of Otranto* is well known. See *ibid.*, VI. 180, 194, 198, 200, 205, 213. For further evidence on this point, see *ibid.*, VII. 161; VIII. 89; IX. 384; XIV. 21, 56; XV. 331, 334.

his life, and he wrote the *Memoirs* partly because he found the business of his life amusing, and had, always, to be writing something. "It amuses me", he says, in explaining why he took up the task again in 1771. "I like to give my opinion on what I have seen."³¹ And when the work ceased to amuse him he threw it aside.³²

Nevertheless, Walpole had undoubtedly a more serious purpose than amusement: he wrote for posterity. During his lifetime probably no one knew that he was engaged on the *Memoirs*;³³ but he took good care that they should be published after his death.³⁴ Walpole was one of those men for whom posterity, no less than adversity, has its uses. He liked to prepare surprises, and one can imagine him chuckling over the little bombshells he would throw into the next century. And the *Memoirs* would surprise many people, and set them right on some things; in the next century, at least, they would know that he, Walpole, already old and half-forgotten by the young of his own generation, knew better than any one what was going on, and had a finger in the pie, although he pulled out no plums.³⁵ That Walpole's main purpose originally was to relate the part he had himself taken in the politics of the reign of George III., he practically says in the opening paragraph of the *Memoirs*; having declared, in his *Memoirs* of George II., the intention of retiring from politics, he proposes now to "set forth the true causes" that induced him to engage in them again.³⁶ Two facts confirm this supposition: he began the *Memoirs* in 1766, just at the close of the period during which he was most active in politics; and he grew tired of the task and laid the *Memoirs* aside for a time, for all time so far as he then knew, when he reached the end of the first Parliament of George III., which was the date of his own retirement from Parliament.³⁷ I assume, therefore, that in compos-

³¹ *Memoirs*, III. 124.

³² *Ibid.*, p. 107.

³³ The letters contain no mention of the *Memoirs*. There is one allusion to them. "I . . . think only of finishing the two or three other things I have begun—and of those, nothing but the last volume of *Painters* is designed for the present public." To Gray, February 18, 1768. *Letters*, VII. 163.

³⁴ *Memoirs*, I., preface, p. xvi.

³⁵ "What pains one takes to be forgotten!", he exclaims, apropos of making an index. *Letters*, VII. 386. "Authors are said to labour for posterity; for my part I find I did not write even for the rising generation. . . . The friends I have lost were, I find, more than half the public to me. It is as difficult to write for young people, as to talk to them." *Ibid.*, VIII. 89. See also, VII. 53, 163, 180, 427; VIII. 3, 41; IX. 85, 384; XIII. 202, 213.

³⁶ *Memoirs*, I. 1.

³⁷ *Ibid.*, III. 107. In resuming the *Memoirs* in 1771, he explains that after all the end of the preceding Parliament was "no era of anything but of my own dereliction of politics". *Ibid.*, p. 125.

ing the original draft Walpole was mainly intent on setting forth in some detail the events of the period from 1764 to 1768 for the purpose of explaining to posterity the part he had himself taken in those events.

The revision of 1775 was undertaken doubtless for the very natural purpose of improving the literary form of the work. The original draft was based upon notes taken contemporaneously³⁸ and upon the letters written to Sir Horace Mann,³⁹ and was, I imagine, little more than a series of rather full notes arranged chronologically under specific dates—in fact, a kind of annalistic chronicle.⁴⁰ Walpole, who had a sense for style and was a most fastidious man in all he did, would naturally wish to leave the *Memoirs* in as readable a form as might be. In 1775 he felt that he was nearing the end of life; it was time to put “his house in order”, and preparing the *Memoirs* for the press was doubtless a part of that necessary process.⁴¹ But the revision of 1784 was for a very different purpose. He wished quite sincerely to point out to posterity the errors of his own time. Affecting to be a mere spectator of events, highly amused by the squabbles of a profligate age, Walpole was at bottom a man upon whom events made a profound impression. The humanitarian and cosmopolitan sentiment of the century was, in his case, only a thin veneer. At the heart of the pretended “little Englander” was the raging imperialist, proud of his country’s conquests and profoundly humiliated by her reverses.⁴² This desire to point the moral was present even in the earlier period, and he doubtless speaks with entire sincerity when he says, in resuming the *Memoirs* in 1771, that he writes not only for amusement but also “to warn posterity (however vain such zeal) against the folly and corruption and profligacy of the times I have lived in”.⁴³ As he grew older this desire became more insistent. The reverses of the American war entered like iron into his soul, and he felt that if he

³⁸ *Ibid.*, I. 84; II. 114; III. 107, 124.

³⁹ The *Memoirs* were begun August 18, 1766, and in September of the same year we find him writing to Mann: “I have begged you to send home my letters. Pray do: there are five years to come, and I have particular occasion for some passages.” *Letters*, VII. 38. See also, p. 83; VIII. 3, 34.

⁴⁰ Walpole calls the *Memoirs* annals in one place. *Memoirs*, IV. 85. The *Memoirs* are mostly written in flowing narrative style, but every now and then we come upon the annalistic style. Cf. I. 330–332; II. 296; III. 4–10, 33–38. The original draft of the *Memoirs* was perhaps not very different in form from the *Journal of the Reign of King George the Third from the year 1771 to 1783*.

⁴¹ “I am . . . sorting and burning papers, in short, setting my house in order against a certain time that happens but once in one’s life.” To the Countess of Upper Ossory, November 14, 1774. *Letters*, IX. 96. Cf. *ibid.*, p. 388.

⁴² See first installment, January number, p. 261, n. 34.

⁴³ *Memoirs*, III. 125.

could not prevent the evil he could at least correct the lying newspapers of the time⁴⁴ and set posterity right on the meaning of that great event and of the whole reign of George III. as well. He says in a passage of the *Memoirs* written in 1784:

I should have observed the whole progress of the reign hitherto with little judgment, if I had not a worse opinion of the spirit that has actuated it, than I had when I first entertained doubts of its designs against the constitution. However, instead of seeing with my eyes, I recommended [recommend?] to posterity to use their own discernment, abandon the author, accept what truths he has delivered, correct his mistakes, condemn his prejudices, make the best use you can of any wholesome lessons he has inculcated, avoid such errors as he has pointed out. He has written prodigiously too much, if no man shall be the wiser for his writings. He laments not his pains, nor shall deprecate censure if a single person becomes a real patriot, or a better citizen from perusing this work.⁴⁵

That these were the main motives for the later revision, is confirmed by the passages which are known to have been inserted at that time; practically all of them aim to connect the earlier history with the American war; they emphasize, for the purpose of showing that connection, the sinister designs of the crown, the subserviency and malevolence of the Scots and the Tories, the indolence and incapacity of Lord North; they betray the tone that is so common in the letters of the later period—a kind of sad and settled melancholy, as of one who regrets a catastrophe that is too fully accomplished to be avoided and too fatal ever to be quite undone.⁴⁶

These considerations suggest an answer to the question as to why Walpole should have thought it necessary to revise the first volume in 1784 without revising the second and third volumes also. If the main purpose in writing the *Memoirs* originally was to set forth his own share in the politics of the time, the period in which he took an active part would probably be treated more fully than the period in which he took little or no part. The period in which Walpole was active was from 1764 to 1768—from the dismissal of his friend Conway for his vote on general warrants to his own retirement from Parliament. Now, this is just the period covered by the second and third volumes. And that Walpole did in fact deal with this period more fully than with the period from 1760 to 1764 is evident, for, even as the printed *Memoirs* stand, the first

⁴⁴ "History, I believe, seldom contains much truth; but should our daily lying chronicles exist and be consulted, the annals of these days will deserve as little credit as the *Arabian Nights*." *Letters*, XIII. 418. "In such a season of party violence, one cannot learn the truth of what happens in next street; future historians, however, will know it exactly, and, what is more, people will believe them!" *Ibid.*, p. 255. Cf. XII. 141.

⁴⁵ *Memoirs*, IV. 85.

⁴⁶ See passages already noticed. *Ibid.*, IV. 54, 76, 85, 157, 163.

volume (335 pp.) covers three years and eight months, while the second and third volumes (595 pp.) cover only five years and two months. It seems not unreasonable to suppose, therefore, that in the original draft Walpole rather hastily sketched the events of 1760–1764 as a kind of introduction to the real subject of the work, the period in which he was himself active. And if we suppose the revision of 1775 was for the purpose of improving the literary form of the Memoirs, there was no reason at that time for changing either the proportion or the content of the introductory part.

But in what a different light must the Memoirs have appeared to Walpole in 1784! Then he was mainly intent on setting posterity right on the meaning of the American war. This could be done in part by revising the fourth volume, which dealt with the beginning of Lord North's ministry. But only in part; for the deeper meaning of the American war was that in it the king attempted to bring to fruition deep-laid designs which he had harbored from the beginning of his reign, designs which had been fostered by Bute and the Scots and the Tories, designs which had never for a moment been lost sight of. To bring this out, the Memoirs must be more than memoirs of Walpole; they must be memoirs of the reign of George III. in fact as well as in name. A revision of the last volume only would therefore leave something to be desired; it would not achieve the necessary dramatic unity. The events of the first years of the reign, which had been dealt with less fully than the rest, now acquired, in the light of the American war, a new significance, which could be pointed out only by revising the first volume. And a revision of the first volume would be sufficient, for it was just the early years of the reign that offered the best opportunity for proving the contention that Walpole wished to establish: it was then, rather than during the years from 1764 to 1768, that the king, Bute, the Scots and the Tories were most influential. We know from the letters that the only time from 1760 to 1772 that Walpole had much fear of the prerogative was in 1762–1763, during the ministry of Bute himself, and in connection with that very Peace of Paris of which so much is made in the first volume. The second and third volumes, on the contrary, were neither in need of any elaboration, nor did they offer much opportunity, save in connection with the Stamp Act, for the particular kind of revision that Walpole wished to make.

To this hypothesis, which I think best explains all the facts, though I hold to it with no positive convictions, there are two objections which must be noticed. If Walpole did revise the first volume in 1784, it is strange that no mention of a specific date subsequent

to 1775 should appear except in the fourth volume. This fact makes it difficult to suppose that the whole work was revised in 1784, but it loses much of its force if we assume, as I have done, that the revision of 1784 left the greater part of the second and third volumes untouched. In dealing with the events of the fourth volume, there would be a certain appropriateness in referring to the American war, since the fourth volume had to do with the beginning of the very ministry that carried the war through. But in the period covered by the first volume the American question had not yet arisen, and the events of the American war, if mentioned at all, would have, as it were, to be dragged in by the heels. The second objection is of a different sort. In a long note, written probably in 1783 and certainly not earlier, Walpole says that he has changed his opinion many times in respect to Lord Bute's influence with the king, and proceeds to set forth what he then takes to be the truth of the whole matter. The truth, as he then sees it, is that Bute had little direct influence with the king after his resignation in 1763, the real influence after that time being exercised by Jenkinson.⁴⁷ Now, the passages in the first volume which I have supposed to reflect the opinions held by Walpole in 1783-1784 assert, on the contrary, that Bute's influence with the king was undoubted and continuous. Croker, in his review of the *Memoirs* for the *Quarterly*,⁴⁸ made much of this point to show that Walpole took back at the close of his work much that he had said of Bute in the first part of it. However, the note is of less importance than might be supposed. Walpole admits having changed his opinions frequently. He must have done so indeed, for he has another note, written as late as 1784, in which he says positively that Grenville "had fallen because he was not influenced by Lord Bute . . . and that Dowdeswell had fallen from the same cause", and that "in 1783-4, the *secret influence* was no longer secret."⁴⁹ These notes tell us nothing, therefore, except that at one time, either in 1783 or later, Walpole believed that Bute had little influence with the king after his resignation, but that another time, in 1784 or later, he believed no such thing. As there is no reason for believing that the first volume, if it was revised at all after 1775, was revised before 1784, the objection falls to the ground.

The second revision of the first volume, if there was one, may indeed have been made at a much later date than 1784. It will be recalled that throughout the *Memoirs* are many foot-notes that

⁴⁷ *Memoirs*, IV. 88, n. 2.

⁴⁸ *Quarterly Review*, LXXVII. 140.

⁴⁹ *Memoirs*, IV. 75, n. 1.

refer to events or to dates later than 1775. Of these, only three refer to dates later than 1784: one to the date 1786, and two to the date 1788. These three notes are all in the first volume.⁵⁰ The interesting query is therefore suggested whether the first volume was revised as late as 1788? It is quite possible that, in taking up the *Memoirs* after the fall of North, Walpole's intention was only to complete the first revision from the point where it had been interrupted by the American war, and that not until later did it occur to him that the work lacked something in perspective and unity which might be made good by recasting the first volume. At least we know that he must have been rereading the *Memoirs* as late as 1788, since that date occurs in the notes.

In conclusion, it should be observed that the amount of matter inserted during the revision of 1784, at least as far as the evidence goes, was relatively small. The importance of the later insertions, however, does not depend upon their quantity, but upon their quality. Wherever we find Walpole asserting that the reign of George III. was primarily a struggle against the despotic tendencies of the crown, there we have a passage which we can say was inserted after the American war, or one which we can say was very probably inserted after the American war. Most of these passages, besides, are interpretative, discursive, speculative in nature. Indeed, if there is any general test by which one may be guided in distinguishing the original draft from the revision of 1784, it is this: in the original draft Walpole was intent on details, and wished to picture the particular person or situation, and himself most of all; in the revision of 1784, he was intent on principles and general tendencies, and wished to picture the whole reign as a lesson to posterity. In the interval between the writing of the original draft and the revision of 1784, Walpole had changed in more respects than in his view of the meaning of the reign of George III.; his attitude towards the function of the historian,⁵¹ and towards his own *Memoirs* and the purposes they might serve, had changed also. Whether Walpole's later view of the reign of George III. is a truer one on the whole than his earlier view, is a question that might be argued but cannot be argued here. At least, that he had an earlier and a later view is obvious, and it is perhaps well to know that he did.

CARL BECKER.

⁵⁰ See first installment, January number, p. 258, notes 21 and 22.

⁵¹ In the earlier period Walpole emphasized the necessity of accuracy in details and of strict impartiality in the writing of history. See, for example, *Letters*, IV. 246; V. 149. But in 1785 he wrote: "For my part . . . I hate the cold impartiality recommended to historians", etc. *Ibid.*, XIII. 285. Cf. p. 255; XIV. 235.

THE LITERATURE OF THE RUSSO-JAPANESE WAR, I.

IN an examination of the "Literature of the South African War", submitted in the pages of this REVIEW four years ago, it was suggested that from a literary point of view all campaigns fall under the heading of one or other of three classes. There are those brief skirmishes on the frontiers of an empire in which the garrisons of its outposts re-establish order or substitute civilized rule for savage despotism. The British army has seen an infinite number of such small wars in every quarter of the globe and owes many of its characteristics to such service. The officers and men of the United States army in days gone by had too their full share of arduous work of a like nature. But soldiers who have been engaged in duties of this character will rarely find their deeds emblazoned in history. A brief despatch, published at the end of the campaign in an official gazette, is the only record of by far the greater number of such expeditions, although the results achieved have in their aggregate conferred no little permanent benefit on the human race.

A grade higher in the historical scale may be reached by campaigns of momentary but not lasting importance. Around these for a time a considerable literature springs up, but of mushroom growth, and for the most part with but little claim to consideration by the historian.

In the third and highest grade must be assessed the wars, whose political and military issues have been so great as to win for them a permanent place in history. These too are surrounded by the same rich growth of contemporary literature, literature of great value so far as it records the personal observations of eye-witnesses, and the reports of those who have played a part in the actual drama of the war, but often marred by inaccuracy, hearsay evidence, and unimportant trivialities. Yet all must be gathered impartially into the granary of the historian. Upon him falls the slow and laborious task of sifting the chaff from the wheat, and of grinding and kneading, from the latter, food meet for the sustenance of future generations. The writing of history cannot therefore be undertaken by any scribbler. It is work which needs time, judgment, an impartial spirit, and above all a free entry behind that veil, which owing to personal and other reasons so often shrouds the truth from the eyes of the generation contemporary with great events. Absolute historical accuracy is probably never attained, but it is gradually

approached after many years of strenuous labor and research, years which moreover serve to fix in their relative importance the various episodes of the events to be recorded and thus enable the historian to regard them as a whole through a true focus.

But if time is essential to the compilation of history, it is also as a rule necessary for the true assessment in value of historical events. It is easy no doubt for the historian to dismiss summarily minor campaigns, punitive expeditions, small wars, and such like, but when a dispute between two communities has been settled by an appeal to arms, the lapse of years will generally be required to determine the final classification in history of the struggle. Yet to this rule there are manifest exceptions; at times it is immediately apparent that an armed contest of state against state must be recognized by reason of its political, racial, or military results, as a real landmark in history, perhaps even a watershed the elevation of which forces into fresh directions the rivers and streams of international life.

The Russo-Japanese War of 1904-1905 is beyond all question one of such landmarks, not only by reason of its presentation of a new type of war, but also having in view its political results. The generations of the nineteenth century, notwithstanding their dream, lasting some decades, of universal peace, saw not a few great campaigns, notably the Napoleonic struggle, the Civil War in America, and the Franco-German contest, but in all these, there were no battles which can compare with those in Manchuria, in duration, in length of fighting front, in the number of troops engaged under one supreme command, and in the desperate resolution of the combatants.

But for the political student as well as for the professional soldier, this great campaign has proved a new departure. Prior to it, the Far East was regarded by the nations of European blood as a prey, a spoil, ripe for division. The eagles had gathered from afar and had already fixed their talons on the carcass. The *banzais* of the Mikado's victorious soldiers disturbed these would-be feasters and indefinitely postponed their dream of a rich banquet. For the first time since Mahomet II. converted the Church of St. Sophia into a Mahomedan mosque the armies of the East have repulsed decisively the armies of the West, and Christians have fallen back before the unbaptized.

This is not the place to forecast what will be the ultimate issue of these great events, but that they have entirely changed the whole problem of the Far East, and will profoundly influence the future

of at least one of the world's continents there can be no room for doubt.

The literature of these great events at the disposal of the ordinary student is not perhaps so copious as might have been expected.

The war was fought to a certain extent behind a temporary veil, in that the staffs of both armies, but especially the Japanese, had the courage to impose unusual restrictions on press correspondents. These restrictions, though, as will be seen later, not incompatible with careful and close study of the greatest campaign of modern times, undoubtedly curtailed the number of correspondents who remained in the theatre of war, and so limited the contemporary narratives emanating from that source. But for Anglo-Saxon students on both sides of the Atlantic another serious cause of restriction is the language difficulty. The Russian and Japanese tongues are known to but few Englishmen or Americans. They take long to master and the inducements to their study have hitherto been regarded as fewer than those offered by many other European and Asiatic languages. Regrettable however though this drawback is, there remain open to the student who lacks special linguistic equipment contemporary records, criticisms, and historical sketches of varying interest and value, but sufficient already in bulk to warrant a stock-taking and preliminary classification of the books either written originally in English or subsequently made available by translation.

The contemporary records of the Russo-Japanese War may, as indeed is the case with all great modern campaigns, be conveniently listed under three headings:

- A. The narratives of press correspondents.
- B. The reports of neutral professional eye-witnesses.
- C. The narratives and records of actual combatants.

These contemporary records are the *pièces justificatives* of the historian, the mines from which he delves his ore, mines varying greatly in richness, but yet none of which can be wholly neglected.

The classification above given places them in what may *prima facie* be said to be the inverse order of their relative value, yet the careful student must bear in mind that there are occasions when the observation of the onlooker, especially if he possesses professional training, is more reliable than the testimony of the man whose physical and mental faculties are subject to the severe strain of the combat. It is only by testing, comparing, and weighing the evidence of every class of witness that the truth can be finally obtained. The gigantic tangle of a modern battle, such as that of Liaoyang or

Mukden, presents to the historian perhaps the most difficult of all the problems given to him to unravel.

The earliest reports to reach the general public from a theatre of war are those of war correspondents. It may therefore be convenient to consider these first. Their comparative paucity has been already mentioned, that is to say, their paucity when they are regarded as historical material, for of a goodly band of press representatives who hastened to Manchuria when hostilities commenced not a few judged that the restrictions imposed by the Japanese staff rendered their mission valueless, and returned to their homes, having seen nothing of the struggle. The personal narratives of such individuals are obviously useless to the historical student and must be disregarded. The correspondents who had the patience to remain were well rewarded. The good fortune which crowned the Japanese arms with success both by sea and land in the opening scenes of the war enabled the staff to relax very substantially the restrictions on the press, to allow correspondents to proceed to the front and join the armies in the field, and at times even to lift, for those who were judged discreet, a not ungenerous portion of the veil with which commanders-in-chief screen their plans.

Naturally the narratives of observers writing under such conditions vary in proportion to their individual idiosyncrasies and their previous military experience and knowledge. One of the most fortunate of the war correspondents attached to the Japanese War, as well as one of the best equipped in military knowledge, was Mr. William Maxwell, for he had the good fortune to earn the confidence of General Kuroki's staff, and South Africa had taught him much of the soldier's trade. Thus his book¹ after stating concisely in its opening chapter the causes of the war deals at once with, for the individual fighting soldier, one of the most interesting points of the campaign, by recording the actual forecasts of the fighting characteristics of their respective adversaries made before the war by the Russian and Japanese staffs. In an appendix Mr. Maxwell gives us in full the actual memoranda as to this, prepared by the two staffs.

The Russian forecast is extraordinary in its inaccuracies. It stated that: "The Japanese infantry never attack with the bayonet; they believe that against the modern rifle bayonet attacks are impracticable, and that the issue must be decided by powder and shot. . . . They do not recognize the necessity of continuing the fight within reach of the bayonet." Yet as Mr. Maxwell points out, "The Japanese proved themselves over and over again most

¹ William Maxwell, *From the Yalu to Port Arthur* (London, 1906).

dangerous foes with the bayonet. Before Liaoyang a whole division charged and carried a position at the point of the bayonet, and never fired a shot. At the Sha-ho bayonet charges were almost hourly incidents, and demonstrated the fallacy bred in South Africa, that entrenched positions are unassailable save by powder and shot."

Elsewhere in this Russian memorandum it is suggested that "the Japanese make frontal attacks without turning movements . . . the Japanese do not like night attacks or night marches." Of the night march of the Mikado's troops, of that "determination to die" with which as Maxwell rightly says the Japanese soldier goes into battle, no idea seems to have penetrated the brain of the officer who penned this document.

A comparison of these misconceptions with the lucid and accurate study of the Russian army prepared before the outbreak of hostilities by General Fugii, then commandant of the Tokio Staff College, illustrates the relative reliability of the staffs of the contending armies. The following quotations from Fugii are too striking to be passed over:

The Russian troops are by no means so good as many critics imagine. . . . The training of the men is too formal. Lack of initiative and of independent action is the weak point of all their officers, if we except the general staff and the officers of the Guards, who are a little better in that respect. . . . Their discipline is maintained, not by training but by the remnant of feudal influence. . . . If there be any great hero to lead them they are not men to fear death, as we have seen at Plevna. . . . Yet if they meet any little reverse they are at once terrified and panic stricken. It is therefore necessary to frighten them at the beginning. Strength and courage are their characteristics in battle, and we must therefore always be careful and never venture on any rash movements. . . . Their infantry often charge with the bayonet but have little skill with the bayonet. . . . Their infantry is not clever at making use of natural objects for cover, and fight awkwardly in mountainous country. . . . The Cossacks made no heroic movement in the War of 1877 and their reports were all exaggerated. . . . If our infantry is a little careful we have nothing to fear from the Cossacks. . . . In the War with the Turks there were many mean-minded Russian Officers who placed their personal interest and comfort beyond every other consideration.

These enlightening documents with Maxwell's own informing sketches of the Japanese generals, whom he had opportunities of studying personally—Oyama, Kuroki, Kodama, Fugii, and Fukushima—are an excellent introduction to the great drama of the war. A clear narrative of the battle of the Yalu follows, written with sound appreciation of the plan of the Japanese commander, and yet with full sympathy for the gallantry of the individual soldier. A comparison of the fight with that of Colenso serves to bring out the

thoroughness of the Japanese reconnaissance, the systematic preparation for battle, and the determination with which it was carried through. The close formation adopted by the Japanese infantry, the faulty Russian trenches, the effective artillery fire, the Russian failure to deliver a counter-attack on the Japanese Twelfth Division, and the still more disastrous mistake of holding on too long to what should have been treated merely as a rear-guard position, the splendid gallantry with which Captain Matrizawa and his little company of infantry died to hold up the Russian retreat at Hamatan—these are the main points brought out in Mr. Maxwell's finely written story. A moving account too is that of the funeral ceremonies after Yalu, when the survivors invoked the spirits of the fallen comrades as "for ever with the Gods" and humbly offered to them divine honors.

Notwithstanding this splendid first blow, Kuroki, Mr. Maxwell tells us, after Yalu "greatly feared" an attack from Liaoyang, conceiving that an army twice his own strength might be concentrated against him from that quarter. It was this fear which led to the strong entrenchment of Feng-huang-cheng. But in addition to this, until the battle of Nanshan had been fought, there was much anxiety lest Oku should be assailed from the north. When neither of these possibilities occurred General Fugii is quoted as declaring that General Kuropatkin had lost his opportunity—"he may be a great organizer, but in the field he is not to be feared." Apropos of this Maxwell appropriately quotes Skobeloff's warning to Kuropatkin when serving as his chief of the staff: "You are an ambitious man and will have a fine career, but do not forget my advice—never accept an independent post in which you have to direct affairs."

Mr. Maxwell stayed with Kuroki's army up to and including the battle of the Sha-ho, and then went south in time to witness the fall of Port Arthur. Enough, however, has been said of the contents of his book to indicate that it enhances the reputation of its writer and ranks high in the list of contemporary records.

Another press correspondent, but of a different class, is Mr. T. Cowen, who in the capacity of correspondent of the *Daily Chronicle* watched the opening phase of the war, but ceased sending home despatches owing to the severity of the censorship. His book² shows considerable skill and knowledge in dealing with the diplomatic events leading up to the war, but his account of the actual operations by land and sea is obviously based on second-hand information and cannot be regarded as of historical value. Yet there are sug-

² T. Cowen, *The Russo-Japanese War from the Outbreak of Hostilities to the Battle of Liaoyang* (London, 1904).

gestive passages in this book which merit attention, notably the comparison of the topography of the Liaoyang peninsula with the county of Cornwall.

A readable and accurate account of an actual eye-witness is to be found in *A Modern Campaign* by Mr. Fraser,³ who followed Kuroki's army as special correspondent of the *London Times* from the Yalu to Liaoyang. His chapter on the Artillery Lessons of the War is specially informing, and his preference for a slow but powerful gun rather than a mobile and weak weapon will be concurred in by the majority of soldiers.

Mr. Palmer, another war correspondent, covers the same period and events as Mr. Fraser, but his book⁴ reads as if it were a mere verbatim reprint of despatches, written at the front, and scored and gashed by the censor's red pencil. It lacks, moreover, knowledge of military technique, although throwing some interesting side-light on the operations from an amateur's point of view.

Here, for instance, is a passage well worth quoting, a few simple but noble sentences spoken by Field-Marshal Yamagata at an interview granted to Mr. Palmer the day after the commencement of hostilities:

If you will look at the geographical position of Korea you will see that it is like a poniard pointing at the heart of Japan. If Korea is occupied by a foreign power, the Japan Sea ceases to be Japanese, and the Korean Straits are no longer in our control. Our public men are of many parties, not of two only, as are yours in America. Our Cabinets are the product of coalitions, which, for the time being, seem to His Majesty and the legislative power best to serve the interests of the country. Foreign policy is a thing entirely apart. In the consideration of Korea and Manchuria, all men of all parties needed only patriotism to realize the singleness of our interests. Whatever Cabinet was in power continued the policy of its predecessor, and the policy of all on a question which put the very life of our nation at stake.

These four books may be taken as fairly representative of the permanent records placed before the public by the English and American correspondents attached to the Japanese armies. It will be observed that they all deal specially with the achievements of the First Army, and that none carry the story further than the battle of the Sha-ho. No member of the English or American press appears to have had the good fortune to be attached to Oyama's headquarters or to have seen the exploits of his centre and left columns.

Of the narratives of correspondents present with the Russian

³ T. Fraser, *A Modern Campaign: or War and Wireless Telegraphy in the Far East* (London, 1905).

⁴ Frederick Palmer, *With Kuroki in Manchuria* (New York, 1904).

armies in the field but few present themselves for consideration by the English reader. For a plain straight story that written by Reuter's special correspondent in Manchúria—Lord Brooke—is much to be commended.⁵ It is dedicated to the officers and men of the Russian army in Manchuria "in grateful remembrance of their kindness and hospitality and with the deepest admiration for their courage and fortitude". Lord Brooke professes merely to set forth a simple record of personal experience gained during nine months spent with the Russian army in Manchuria. "Having followed", he says in his preface, "and studied the campaign as a soldier, I have striven to give here a straightforward account of the many stirring events which came within my own actual experience; this without extenuation or disguise, and, assuredly, without malice." Leaving St. Petersburg in the beginning of May, 1904, Lord Brooke succeeded after some delay in reaching in June Liaoyang where he found Kuropatkin's headquarters established. He remained with the Russian army from that date until within three weeks of the battle of Mukden, when unfortunately private reasons compelled him to return to England. A large portion of his narrative is naturally therefore devoted to the battles of Liaoyang and of the Sha-ho. Historically this narrative has been superseded by writers who have had access to fuller information than that available to a single eye-witness jotting down on the battle-field his personal observations, but Lord Brooke's assessment of the reason for the Russian defeats is of permanent value, recording, as it does, the opinion prevalent at the time in the army itself, as it fell sullenly back before its victorious foes.

As regards Liaoyang he confidently affirms that it was not lost through any fault of the Russian rank and file.

Excepting Major-General Orloff's 5th Division, which became panic stricken on the 2nd of September, the infantry never lost their discipline, and never gave up a position without strenuous resistance. . . . Nor was it in the fighting only that the troops showed their fine qualities, for discipline was maintained also during the retreat, even when, as in the case of the 1st Siberian Corps, they had been for thirteen days consecutively either fighting or marching.

To Baron Stackelberg's "consummate skill" in defending the Shushan position and conducting the retirement therefrom, he pays also warm tribute. The defeat of the army was, in Lord Brooke's opinion and in the current opinion after the action, attributable partly to the erroneous belief that the Russians were fighting against inferior forces, partly to Orloff's disobedience of orders, partly

⁵ Lord Brooke, *An Eye-Witness in Manchuria* (London, 1905).

to the depression of spirits caused by the remembrance of previous ill success, but chiefly and above all to Kuropatkin's vacillation. "The Japanese thoroughly earned their victory by their audacity, tenacity and fortitude. On their side was no hesitation, no change of place. They saw their goal straight before them, and worked to attain it to the uttermost of their ability."

After the battle on the Sha-ho he notes that the general inclination of the army was to blame Stackelberg. It was said that he should have broken through at Tu-min-ling or crossed the Taitzo-ho at Pensihu and threatened Liaoyang. Later again in the prolonged struggle, it was argued Stackelberg should have concentrated his entire strength against the Japanese centre. But Lord Brooke will have none of this. Without a large reserve of mounted troops he holds that Stackelberg was powerless when the Japanese counter-stroke pierced the Russian line, and he contends energetically that that commander did everything that was possible with the force under his orders.

Lord Brooke's conclusion, formed after this battle, however, was that "the war had failed to produce a single Russian General equal to handling successfully such large bodies of men as were now in the field"—in other words that, as at Liaoyang, it was the higher direction which was in fault.

In Monsieur J. Taburno's *The Truth about the War*^o may be found a most interesting attempt of a civilian eye-witness to piece together on the spot an intelligible account of the great Mukden fight, and to deduce from his observations the causes of the Russian failure. A civil engineer by profession M. Taburno joined the Russian forces in Manchuria in December, 1904, as correspondent of the *Novoe Vremia*, and placed his book before the public in the following April. It is written temperately and shows considerable insight into the shortcomings of the Russian army. He draws attention, for instance, to such varied points as the abuse of the special living trains set aside for the accommodation of the commander-in-chief and army commanders; to the excessive number of soldiers detached on non-combatant duties; to the great defects in the intelligence system and reconnaissance work; to "the microbe of distrust" which had contaminated the whole army; to the jealousy between the staff and regimental officers; and to the lack of discipline on the line of communication. As to General Kuropatkin himself, he declares, not without justice, that "his resolution, going hand in hand with absolutism and the distaste of listening to good

^o J. Taburno, *The Truth about the War*; translated by Victoria von Kreuter (Kansas City, 1905).

advice, accommodated itself to the system adopted by him, that of passive resistance, and the weakening of the enemy during the retreat." But he points out that to force Kuropatkin to abandon his own plan of action was unwise.

Yet Kuropatkin himself was equally culpable in his interference with his subordinates in the details of their commands. Of Linevitch, M. Taburno had high hopes, and in one of the concluding chapters of the book he presses for the continuance of the war until victory over the Japanese "should re-establish our prestige and give us back the respect and glamour we have lost". This little book as a whole is a remarkable product. It may be conjectured that although a civilian its author must have made some previous study of the art of war, but in any case his judgment is remarkably just, and his work shows but little mark of the haste with which it was written. The note of patriotism and self-sacrifice which he sounds is wholesome teaching.

A book of a very different scope is *The Tragedy of Russia in Pacific Asia*,⁷ the key-note of which may be given by the quotation of one sentence: "The chief enemy of our Army is the nation's moral disease." Mr. McCormick followed the fortunes of the Czar's troops throughout the war. He was present in Port Arthur when the dramatic surprise of the Pacific Squadron by Japanese torpedo boats startled the world. Joining subsequently the headquarters of the Russian field army he observed closely the great contest of Liaoyang, and at its close fell into the hands of the Japanese. Treated with much courtesy and almost immediately released he joined Kuropatkin in time to report on the failure of his offensive effort on the Sha-ho, and remaining steadfast at his post throughout the long winter deadlock, Mr. McCormick had the good or ill fortune of being an eye-witness of the final decisive struggle at Mukden and the retreat of Kuropatkin's armies. Later he watched their reorganization under Linevitch, and, remaining till peace was proclaimed, noted the disorders which manifested themselves subsequently amongst the troops. His personal observation of all these events is supplemented by a summary of the operations in other portions of the theatre of war sufficient to permit the reader to grasp the campaign as a whole, but the real value of the two volumes lies in their personal evidence and their incisive analytical criticism of the psychological causes which led to Russia's defeat. The many great problems of strategy and tactics are touched on with a somewhat light hand and it may perhaps without offense be

⁷ Frederick McCormick, *The Tragedy of Russia in Pacific Asia* (New York, 1907).

conjectured that Mr. McCormick does not desire to pose as a professional expert on such matters; but though he may never have studied Clausewitz, he has mastered to the full the truth of that great maxim that the spiritual side of war is more important than the material. A hasty reader of *The Tragedy of Russia* might perhaps label the work as "mainly political". But it is much more than that. It is the soldier's business as well as the statesman's to probe to the bottom all the causes of victory and defeat, of national triumph and national humiliation, and however highly the soldier may prize the technical side of the art of war, he has studied history imperfectly if he fail to grasp the lesson that national spirit is a more important factor in a struggle of nation against nation than even a high standard of military knowledge. Without national inspiration a nation's army cannot as a whole attain true fighting efficiency.

Rightly, therefore, does Mr. McCormick mainly impute Russia's failure in the Far East, not to the mistakes of this or that commander, or to errors in tactics, but to the moral diseases with which the nation had infected its army, the diseases of indifference to duty, of self-indulgence, of disloyalty, of self-seeking, of mistrust. Yet admirable though his criticisms are as a whole on these points, they are marred by one false note, the contemptuous allusions to the religious practices of the Russian army. The Englishmen who heard mass before Agincourt, Cromwell's Ironsides and the Scotch Covenanters who sang psalms when drawn up in line for battle, Havelock, Stonewall Jackson, Lee, Gordon, Roberts, and a host of other instances controvert the suggestion that soldiers cannot serve God and Country simultaneously. Indeed the Japanese, though of a less divine faith, were themselves inspired to victory by the Bushido, whose spirit of self-sacrifice and self-suppression might well be based on the teaching of the Gospels. Nevertheless, Mr. McCormick's book is a valuable contribution to the historical material of this campaign, and his final examination of the aftermath of the war (chs. LXI. and LXII.) should be studied carefully on both sides of the Atlantic.

The great siege of Port Arthur was in some respects the most dramatic spectacle of the whole war, and its events are worthily recorded in two or three notable books. The narrative, for instance, of Monsieur E. K. Nojine, the accredited Russian war correspondent during the siege, is a book^{*} which cannot be ignored by the historian. *The Truth about Port Arthur* as told by M. Nojine is one long

^{*} E. K. Nojine, *The Truth about Port Arthur* (New York, 1908); translated and abridged by Captain A. B. Lindsay and edited by Major E. D. Swinton.

indictment of Russian administration and of certain of the local authorities, notably General Stoessel. M. Nojine was present during the greater part of the siege, had access to official documents and diaries as well as exceptional facilities for collecting material for his book. These opportunities and his own personal observations enable him to bring to light amazing evidence as to the negligence displayed in arming and provisioning the fortress. The military incapacity and defiance of higher authority displayed by Stoessel, the incompetence of his favorite, General Fock, and the final tragedy of the premature surrender, on these points M. Nojine's testimony is scathing, so scathing that the issue of the English translation of his book was delayed pending the announcement of the results of the trial by court-martial of the senior officers responsible for the defense, results which when made known to the world were found to justify singularly M. Nojine's indictment. Indeed the charges on which Stoessel and others were arraigned, added in an appendix to the translation with others of the official documents, bear out to the hilt the accusations of the main text of this book.

Mr. Maxwell's account, from the Japanese side, of the final assault has been already referred to. Of the narratives of other war correspondents who watched the siege from the attacking side it will suffice to bring to notice three, those of Mr. F. Villiers, Mr. W. Richmond Smith, and Mr. David James.⁹

Mr. F. Villiers is the well-known war artist of the *Illustrated London News*. The chief features of his book are naturally therefore his charming sketches. His personal experiences before Port Arthur during the months August–November, 1904, make entertaining light reading, but the record is not one requiring serious study.

Mr. Richmond Smith was attached to the Third Japanese Army before Port Arthur in the capacity of war correspondent of the Associated Press and Reuter's Telegraph Company. Partly by his own patience and reticence at a time when other war correspondents could not conceal their impatience at the restrictions placed on press correspondents, and partly by small acts of kindness, done without *arrière pensée* to private soldiers, he was fortunate enough to win the confidence and friendship of the Japanese Staff, and thus during the later and most interesting stages of the siege was granted somewhat special advantages, being allowed to push forward into the advance trenches and even to inspect the mines ready for explosion

⁹ F. Villiers, *Port Arthur: Three Months with the Besiegers* (London, 1905); W. R. Smith, *The Siege and Fall of Port Arthur* (London, 1905); D. H. James, *The Siege of Port Arthur* (London, 1905).

beneath the Russian forts. His narrative is that of a close observer, conscientious and impartial. Of particular interest as tending to correct the world's first impression that the Japanese army and nation were without touch of human weakness is the story of the manner in which the Osaka battalion, after refusing to follow its commanding officer in action, was braced up to its duty, and the reference to the ill-timed and ungenerous attacks made by the Japanese press on their military authorities on the charge that the capture of Port Arthur had been unduly delayed. *Tantaene animis celestibus irae?*

In England, and possibly in the United States, soldiers know well the mischief of these popular outbursts, but to find such manifestations in a country, the whole-hearted patriotism of whose citizens won the respectful admiration of all other nations, is a surprise and perhaps a consolation.

But for the professional student the most valuable portion of Mr. Richmond Smith's book is the preface, written by General Sir W. G. Nicholson, formerly senior British military attaché in Manchuria, and now chief of the Imperial General Staff at the War Office. It will be remembered that the extreme Blue Water School were somewhat staggered in their theories by the circumstances of the Port Arthur siege. That a naval fortress should be regarded for many months as the principal strategic objective in a great war, and that to its attack and defense should be more or less subordinated all other operations by land and sea, was not a little disconcerting to the preachers of the doctrine that fixed defenses are a useless waste of money. Somewhat to the surprise of his friends, the very able military correspondent of the *Times*, Lieutenant-Colonel Repington, although by no means an extreme Blue Water man, took up on this occasion the cudgels on behalf of that school and boldly condemned both the defense of Port Arthur by Russia, and its attack by Japan, as serious strategic blunders.

Sir William Nicholson's remarks on this point, though written before he assumed the responsibility of his present high office, and therefore not to be taken as an *ex cathedra* judgment, are too weighty not to be quoted.

As regards the strategical aspect of the siege I am tempted to offer a few remarks with special reference to articles which have appeared in the public Press suggesting that the conversion by Russia of Port Arthur into a strong naval fortress was a costly mistake, and implying that of late years we have wasted much money on the defences of our naval bases besides locking up as garrisons for these bases too large a proportion of our small regular Army.

Had Russia possessed no fortified naval base on the shores of the

Liaoyang peninsula, it is obvious that on the outbreak of war in the event of the Japanese fleet gaining, as it did, a local and temporary superiority over the Russian fleet in the Far East, the latter in the absence of reinforcements must have been destroyed, captured or compelled to seek refuge in neutral ports where the vessels would have been interned until the end of the war. At that time Vladivostock was ice-bound and consequently though fortified was not available, even if a withdrawal in that direction could have been safely effected. The Russian fleet having obtained shelter in Port Arthur, it necessarily devolved on the Japanese Fleet continuously to watch and blockade the harbour. It also necessarily devolved on the Japanese Army to capture Port Arthur as soon as possible in view of the existence of a powerful though distant Baltic Squadron which might be expected sooner or later to arrive in Japanese waters.

The garrison required for the defence of Port Arthur may roughly be estimated at 50,000 Russian troops, while the strength of the Japanese force needed to capture Port Arthur can hardly have been less in the aggregate than 150,000.

The events of the war show that in field operations when the numbers on either side were approximately equal, the Japanese troops almost invariably succeeded in defeating their opponents. It follows then, that if there had been no maritime fortress of Port Arthur General Kuropatkin might have had 50,000 additional soldiers at his disposal for field operations. Marshal Oyama's army could have been reinforced by 150,000 men; and it can hardly be doubted that under such conditions the engagements of Liaoyang and Mukden would have been more decisively in favour of the Japanese. It is true that Port Arthur fell before the arrival of the Baltic fleet, and consequently that fleet could not be reinforced by the Russian ships which had sought shelter there; but the fortress held out for seven months, a period which under normal conditions of naval mobility would have been amply sufficient for a squadron from the Baltic to reach the Far East.

On the whole therefore it may be concluded that the existence of a strong naval base at Port Arthur was distinctly advantageous to Russia: first from a naval point of view as affording protection to the squadron which had been worsted at the outbreak of the war, and giving it the chance of joining the Baltic Squadron had the latter arrived before the capture of the base; and secondly from a military point of view as demanding for its investment a much larger number of troops than those comprising its garrison.

Of course if a navy were so powerful and so ubiquitous that its local and temporary loss of sea command in any part of the world would be inconceivable, it might be deemed an extravagance to fortify and garrison naval bases at home or abroad. But War has its chances, and that nation is wisest which steers a middle course between an excess of defensive precautions on the one hand and too sanguine a confidence in the invincible and universal superiority of its offensive force on the other.

In Mr. David James's *The Siege of Port Arthur* both military and general readers will find a valuable and accurate record as well as powerful descriptive writing. Mr. James's narrative of the first great Japanese assault on the fortress is indeed deemed so reliable

by the Russian General Staff as to be quoted at length in a treatise on the siege of Port Arthur prepared for the use of the St. Petersburg Staff College and translated two years ago by the General Staff at Washington.¹⁰

Considerations of space forbid the mention of the narratives of other non-official eye-witnesses. Enough has been said to show that notwithstanding all difficulties a shelf may be filled with useful and interesting books from this source dealing with the Russo-Japanese campaign.

It is time to pass on to a different group—the narratives of professional eye-witnesses, who took part themselves in the operations of war or whose official duty it was to watch these operations as onlookers. It will have been observed in commenting on the records of the war correspondents that not one had the good fortune to watch a sea-fight from the deck of a war vessel. Indeed, although representatives of the press have been occasionally allowed to report on naval manoeuvres, the modern newspaper editor, notwithstanding his unbounded enterprise, has not apparently yet succeeded in obtaining permission for a correspondent to accompany a fleet proceeding on active service. It is a compensation, however, for this gap in Russo-Japanese War records that by far the most important of the narratives contributed by combatant eye-witnesses deal exclusively with the story of Russia's disasters at sea. Commander Semenoff's three books,¹¹ *Rasplata*, *The Battle of Tsu-shima*, and *The Price of Blood*, to name them not in the order of their publication but chronologically, are probably the most luminous narratives of actual war experience to be found in modern literature. *Rasplata* and the *Battle of Tsu-shima*, as the author tells us in his preface to the former, were first published as a series of articles in the *Russ* newspaper, and are simply the diary of an eye-witness jotted down daily, or on important days even hourly, and now presented in the form of a narrative. "It is material", Captain Semenoff claims, "for writing history", and this the more so, seeing that his comments on the daily events are not afterthoughts, but the judgments formed on the spot and at the time. The whole narrative is therefore what the maker of history above all things desires, primary evidence.

Semenoff had spent nearly the whole of his previous service in the Far Eastern seas, but the war clouds gathering at the commence-

¹⁰ A. von Schwartz, *The Influence of the Experience of the Siege of Port Arthur upon the Construction of Modern Fortresses* (Washington, 1908).

¹¹ Vladimir Semenoff, *Rasplata* (New York, 1909). *Id.*, *The Battle of Tsu-shima* (London, 1907); translated by Captain A. B. Lindsay, with a preface by Sir G. S. Clarke. *Id.*, *The Price of Blood* (London, 1910); translated by Leonard Lawley and Major F. R. Godfrey.

ment of 1904 found him holding the post of aide-de-camp to Makaroff, then port admiral at Kronstadt. Good interest, however, secured for him the appointment of second in command of the *Boyarín*, a protected cruiser attached to the Far East Squadron. Hurrying out across Siberia, Semenoff reached Port Arthur immediately after the disastrous surprise of the Russian fleet. The *Boyarín* had been sunk, but reappointed first to the auxiliary cruiser *Angara* and subsequently as commander of the *Diana* he served in the Port Arthur Squadron until the sea-fight of August 10, the story of which he tells with admirable lucidity. The battle over, the captain of the *Diana* made a bold bid for freedom, but damage in action and lack of coal compelled her to take refuge at Saigon. Here, before he could be officially interned by the French authorities, Semenoff slipped on board a Messageries Maritimes steamer and took passage for Europe, telegraphing a request to Admiral Rojestvensky for employment. Travelling with the utmost energy Semenoff reached Libau a few hours before Rojestvensky's ill-fated squadron sailed for the Far East, and was attached as supernumerary to the commander-in-chief's staff. In the latter half of *Rasplata* is presented, therefore, Semenoff's daily observations written on board the flag-ship during the ill-fated voyage from Libau to the Straits of Tsushima, including the initial madness of the Dogger Bank incident. From the data thus recorded a very accurate appreciation of the condition of the personnel and matériel of the Russian fleet, when it joined final issue with Togo, can be formed.

The Battle of Tsushima gives us a vivid description of that catastrophe as viewed from the Russian flag-ship, the *Suvorov*. Semenoff's notes, therefore, must for long rank as high authority on the greatest sea-fight of modern times. A preface by Colonel Sir George Sydenham Clarke, the well-known military writer and the first secretary of the British Imperial Defence Committee, summarizes its lessons as follows although his deductions have not been wholly accepted by the predominant school of British naval thought:

The general impression conveyed by Captain Semenoff, and confirmed from other sources, is that the Russian ships were overwhelmed by the volume of the Japanese fire, and that frequency of hitting rather than weight of shells should be the main object. If this conclusion is correct, the principle which guided the British Navy of the days of Nelson—to close to effective range and then deliver the most rapid fire possible—has been strikingly reaffirmed.

Captain Semenoff's testimony in these two books then covers practically the whole of the naval operations of the war and is of the greatest importance alike to the historical student and the pro-

fessional reader. It tells in simple terms the story of a tragedy, of the *Rasplata*, or day of reckoning, of a great service, a navy once efficient and still manned for the most part by brave men willing to die for their country, yet so demoralized and emasculated by corrupt administration and bad leadership as to possess from the very outset no chance of escaping that doom of failure and disaster which war justly awards to the incompetent. The story is a warning to the administrator and the statesman, a still greater warning to those, whether sovereigns or sovereign people, upon whom the choice of administrators and statesmen depends.

Semenoff's last book, *The Price of Blood*, though pathetic reading somewhat falls short of his other two books, perhaps because his true message to the nations of the world was exhausted. He tells us of his capture as a wounded man by the Japanese with Admiral Rojestvensky and the rest of his staff; of their treatment whilst prisoners; of the proclamation of peace; of his return over land to Russia through an army tainted with sedition, and of his reception by his superiors in Russia. His criticisms of the Japanese and perhaps too of his own superiors strike one as rather influenced by the depression naturally resulting from severe wounds and the great strain of the campaign. Nevertheless, one takes leave of him at the last page with deep sympathy and no little respect, a sympathy enhanced by the news of the gallant Semenoff's death, which has reached England as these words are being written.

A pathetic book¹² too is the diary of M. Eugène Politovsky, the engineer-in-chief of Rojestvensky's squadron, who went down in the battleship *Suvorov* during the battle of Tsushima. Written for the eye of his young wife, to whom it was sent home piecemeal as opportunity offered during the long voyage to the Far East, this narrative is probably more outspoken in its criticisms of his brother officers than would have been the case had its writer anticipated its publication to the world. The criticism is, moreover, accentuated by the frets and jars of the long voyage, the anticipation of certain failure, and the class jealousy which crops up unfortunately from time to time between the non-combatant and the combatant in all fighting services. Yet it brings out well one side of an enterprise which though irretrievably doomed to final disaster was nevertheless in itself a remarkable achievement.

Alike both on land and sea the spiritual aspect of war demands the closest examination, and as a psychological study there is no book on the campaign better worth reading than Lieutenant Tada-

¹² E. S. Politovsky. *From Libau to Tsushima* (New York, 1908); translated by Major F. R. Godfrey.

yoshi Sakurai's¹³ narrative of his short spell of severe fighting before Port Arthur, entitled *Human Bullets*. Every army has its proportion of brave men, whose number and determination vary with national characteristics and with the discipline and moral of the force. But the campaign in the Far East developed a bravery of a type, which, whether we do or do not apply to it the epithets of Oriental and fanatical, wins whole-hearted admiration. The brave Anglo-Saxon faces battle with a determination to do his duty, if need be at the loss of his life; yet he seldom has any personal wish to die, and as a rule cherishes at the back of his mind the belief that it will be his individual fortune to be exempt from that supreme sacrifice. The brave Japanese soldier looks at things differently. The call to arms he regards as a summons not merely to risk his life, but to lay it down for his emperor and his country. Sakurai tells us how, before his setting out for the war, his mother filled for him the farewell cup of water, the Shinto viaticum, administered to dying persons by their nearest relative, and how when fight after fight left him and some of his comrades still unscathed it seemed that "the opportunity was slow in coming." He asks:

How was it that we were still alive after fighting one, two, three, already four battles, without having fallen like beautiful cherry petals of the battle-field? I had been fully resolved to die on Taku-shan, but still I was left behind by a great many of my friends. Surely this time, in this general assault, I must have the honor and distinction of offering my little self to our beloved country. With this idea, this desire, this determination, I started for the battle.

And so, after preparing with his own hands from empty cigar boxes a little coffin to carry his ashes back to Japan, he went forward with his company into that amazingly fierce attack delivered on East Kikuan Fort on August 19. Yet Heaven accepted not his offered self-sacrifice; the attack failed, and the gallant little officer, though desperately wounded, was brought out alive by his brave men, and ultimately returned to Japan a cripple for life. When, a hundred and forty days afterwards, while still in bed, unable to move his hands or stand on his feet, he heard of the capitulation of Port Arthur, he tells us:

At the same time there came to me the thought of the great number of my dead comrades. I who had had the misfortune of sacrificing the lives of so many of my men on the battle-field, how could I apologize to their loyal spirits? I who left many brethren on the field and came back alone to save my life, how could I see without shame the faces of their surviving relatives?

¹³ Tadayoshi Sakurai, *Human Bullets: a Soldier's Story of Port Arthur* (Boston and New York, 1908); translated by Honda.

We may smile at the cigar-box coffin, we may pride ourselves on our high civilization, and our Aryan origin, but the whole-hearted devotion of this simple subaltern remains a noble example and a warning. A warning because a race which can assimilate to itself the best of modern civilization and yet remain not afraid to die will make much history.

To turn to a very different class of book, Captain Soloviev's *Actual Experiences in War*,¹⁴ is of great practical use to the professional soldier, and may be compared with the similar valuable reports of battle experiences by company officers which so stirred military students immediately after the 1870-1871 campaign. It deals, however, entirely with tactical matters, and however grateful soldiers may feel to the American General Staff for its reproduction cannot be commended as likely to be of much interest to the historian.

Mr. McCormick, whose book has been already noticed, rightly entitles this campaign *The Tragedy of Russia*. In this *Tragedy* two figures stand out as the most unhappy, Rojestvensky, the commander of the fleet assigned to a hopeless forlorn hope, and Kuropatkin, the commander of an army doomed to unvarying defeat. Captain Semenoff in *Rasplata* has told the story of the former simply and truthfully, although the theme is one from which an Aeschylus might have woven a drama of remorseless destiny. Kuropatkin is his own historian. Two out of a series of volumes, issued by him in Russia but to be suppressed, have now been made accessible to the English reader.¹⁵ These volumes are the *apologia* of a man who failed, but they are, as the translator and editor point out in a joint preface, also something more. They present a strong and not unreasonable protest, that the war was not fought to a finish, that peace was concluded prematurely, at the moment when Russia's strength was at its greatest and that of Japan had begun to ebb. Nor are the great political issues of the period before the war ignored. Kuropatkin after serving as chief of the staff in the Turkish War of 1877-1878 and commanding a brigade with much distinction in the Akhad Tekke expedition of 1880-1881, was for seven years (1883-1890) in charge of the strategical branch of the Great General Staff at St. Petersburg and from 1898 until the outbreak of the Manchurian War held the portfolio of Minister of War.

In the light of after events it is therefore of great interest to find that in a memorandum addressed to the Czar in October, 1903,

¹⁴ L. Z. Soloviev, *Actual Experiences in War: Battle Action of the Infantry; Impressions of a Company Commander* (Washington, 1906).

¹⁵ General Kuropatkin, *The Russian Army and the Japanese War* (New York, 1909); translated by Captain A. B. Lindsay and edited by Major E. D. Swinton.

and quoted verbatim in these volumes the future commander-in-chief advised conciliation of Japan by the avoidance of contact with the Korean frontier and the military evacuation of the area between that frontier and the railway. The annexation of southern Manchuria would on the other hand, he pointed out, render critical all the questions outstanding between the two nations, and would confirm the Japanese in their suspicion that Russia intended to seize the Korean peninsula. He deprecated strongly the period of armed neutrality, which he thought would ensue, as injurious to "the vital interests of the people at large". Still more was he opposed to war itself, the final issue of which he regarded as by no means assured. Two months later a second memorandum, written for the emperor's eye by Kuropatkin as Minister of War, definitely proposed that to ensure a peaceful issue of the diplomatic struggle Port Arthur and the province of Kuan-tung should be evacuated and the southern branch of the Eastern Chinese Railway sold. In support of this proposal he urged that the national interests of Russia were not sufficiently involved to warrant war, and that war for an object which would not be understood by the nation should be avoided at a time of national crisis.

These two documents are of great importance. They establish that sound counsel, at any rate on the main political issues, was tendered to the Czar by his responsible military adviser. Unfortunately His Majesty, though personally anxious for peace, appears to have placed absolute confidence in his viceroy in the Far East, Admiral Alexeiev, and Alexeiev's folly and ignorance made peace impossible. That the man who by his incompetency had thus involved his sovereign unwillingly in war should have been left in supreme command of the naval and military forces in the Far East was a blunder for which Russia paid dearly. Until the viceroy's recall Kuropatkin was commander-in-chief only in name. The latter's plan of campaign is set forth in the second volume of the two Captain Lindsay has translated for us. Its essence was "that during the first period of the struggle we shall have to assume a generally defensive rôle. Any troops we may have within the theatre of operations should so far as possible keep clear of decisive actions, in order to avoid being defeated in detail before we can concentrate in force." The area Mukden-Liaoyang-Hsuiyen was named for the primary concentration of the Russian forces, but it was contemplated at the outset by the commander-in-chief that a retirement in the direction of Harbin would be necessary. Alexeiev's interference with this plan caused the primary disaster on the Yalu and forced Kuropatkin to order Stackelberg's attempt to relieve Port

Arthur. Alexeiev figures, therefore, not unjustly in a prominent position in Kuropatkin's *apologia*. His other pleas are in the main the imperfection of the army under his command and the premature declaration of peace. As to the latter it is clear that the internal condition of Russia would have made the further continuance of the contest with Japan a very dangerous course for the Czar's government.

The defects in the Russian army itself seem hardly points to be pleaded by Kuropatkin in his personal justification, seeing that he had held in his hands the portfolio of Minister of War for the seven years before the war.

Kuropatkin's defense can therefore be only partially accepted. He undoubtedly took over the command in the Far East under difficult circumstances and cannot be held wholly responsible for the initial moves of the campaign. But at Liaoyang and Mukden he was unfettered by higher authority and had then under his orders a brave and well-disciplined force, superior numerically to that facing him. The loss of the first of those battles must be attributed to Kuropatkin's mind being obsessed with defensive tactical ideas, and with that cult of positions which, though favored by a certain school of military thought, is incompatible with decisive victory. The Mukden defeat was also due to lack of military judgment and false tactical moves. History's verdict must thus needs pronounce Kuropatkin to have lacked those rare qualities which make a great commander. If a Napoleon, a Moltke, or a Lee had been in his position, the issue might have been very different. Yet General Kuropatkin remains an example of a gallant true-hearted soldier, who under less difficult circumstances might perhaps have achieved a high reputation. In any case the devotion to duty which inspired him after Mukden to serve loyally and cheerfully under his former subordinate, will ever merit the respectful admiration of all who have the honor to belong to the profession of arms.

A BRITISH OFFICER.

PRIVATEERS AND PIRATES OF THE WEST INDIES

IN the sixteenth and seventeenth centuries the work of policing the seas was given over to the casual attention of the royal navies of Europe. When piracy became so flagrant that it dared enter the very ports, a few men-of-war, generally the older, battered, less seaworthy vessels, would be detailed to suppress the pirates. These, after a sedate patrol of the coasts and the capture of a chance-met offender or so, would report the seas clear and lie up for repairs. Yet no sooner were they out of commission than the pests were back from the Scilly Isles, or the Orkneys, or the Canaries, or the desolate creeks and coves of Ireland, from any hiding-place or from the open sea, and the merchantmen must protect themselves again as best they could.

Under such trifling restraint, piracy continued undiscouraged in European waters. In the West Indies it flourished openly, almost respectably. There the sea was broken by a multitude of islands affording safe anchorage and refuge, with wood, water, even provisions for the taking. There the colonies of the great European powers, grouped within a few days' sail of one another, were forever embroiled in current European wars which gave the stronger of them excuse for preying on the weaker and seemed to make legitimate the constant disorder of those seas. There trade was rich but settlement thin and defense difficult. There the idle, the criminal, and the poverty-stricken were sent to ease society in the Old World. By all these conditions piracy was fostered, and for two centuries thrived ruinously, partly as an easy method of individual enrichment, partly as an instrument of practical politics.

Piracy in the Indies began with the beginnings of Spanish colonization, in the high-handed actions of traders from all the European states, who ventured into the Caribbean in defiance of Spanish prohibitions. By the middle of the sixteenth century religious and patriotic zeal had become the justification of deliberate robbery of Spanish subjects by the Protestants of other nations. No catchword was ever truer than "No peace beyond the Line" during the sixteenth and seventeenth centuries; in 1684 one finds the translator of *Bucaniers of America* still declaiming it with conviction: "We know that no Peace could ever be established beyond the Line, since

the first possession of the West-Indies by the Spaniards, till the burning of Panama."¹

It is probable that only a small portion of the violence committed in the Indies would square with the legal theory of piracy: generally speaking, the robbers were not *hostes humani generis*, but enemies of Spain; furthermore, the majority of them sailed under letters of marque or reprisal, which legally authorized them to seize Spanish ships and goods. These privateers' commissions were issued freely by belligerent powers to almost any ship-owner that applied for one, and as cruising for prizes was often a profitable speculation, a great many people did apply who were not concerned in the outcome of the war. In peace, letters of marque were an instrument of private redress, whereby a state authorized certain of its subjects who had received injury at the hands of foreigners to obtain compensation at the expense of the subjects of the offending state. Before letters of marque were granted, the injured party was obliged to have petitioned the sovereign of the aggressors for redress, and only in case of a refusal or unreasonable delay of justice was he permitted to take the law into his own hands.² As an instrument of justice this system must have been most commonly a failure. The exact amount of the injury could seldom be determined, and, when it could, the measure of indemnity claimed was apt to be in generous excess. The practice was a survival of the medieval treatment of aliens, and flourished in the time when justice between the subjects of one state and those of another was a matter of diplomacy and not of law.

In the Indies the last vestige of justice in the reprisal system disappeared, and English and Dutch, French and Portuguese peddled letters of marque freely to one another, and regularly to the

¹ John Esquemeling, *Bucaniers of America* (London, 1684), preface to the second edition. Although the introductory portion of this book, dealing with the pirates of Tortuga, is plainly romance grounded on hearsay, the part which deals with Morgan's adventures is confirmed by several narratives found in the *Calendar of State Papers* and later referred to in this article. The book was originally written in Dutch, printed at Amsterdam in 1678, and thereafter translated into Spanish, English, and French. Esquemeling is a fictitious name, but the author was probably a follower of Morgan as he represents himself, and his narrative, allowing for some fancifulness of details since the book was intended to entertain, is reliable. Morgan himself sued the printer of the English edition for calling him a pirate, whereas he was a privateer, and recovered £300 or £400 damages, but seems to have taken exception to nothing else said about him in the book. See *Correspondence of the Family of Hatton* (Camden Soc. Pub.), II. 225.

² Grotius, *The Rights of War and Peace*, bk. III., ch. II., sec. 4; also F. R. Stark, *The Abolition of Privateering and the Declaration of Paris* (New York, 1897), pp. 53 ff.

disadvantage of Spain, the richest prey in those parts.³ Privateering became a profession having no necessary connection with the politics, commerce, or religion of those that practised it, though all of these motives continued to be used to disguise individual cupidity. By the Spaniard, since it mattered little by what rope he were hanged, privateers were regarded as pirates, as in act they were; captured privateers were treated no more leniently than the robbers who could show no papers.⁴ Letters of marque were desirable as a protection from the interference of neutrals, and because they enabled the holder to bring his prize into port and sell it, not because they minimized the danger to his life.

The French appear to have been the first piratical invaders of the Indies. It is possible that the close commercial relations between Spain and Portugal first brought the French overseas to trade in Brazil,⁵ whence it was no far step, either morally or geographically; to plundering raids in the Indies. As early as 1513, the Casa de Contratación at Seville was obliged to provide two caravels to protect the coasts of Cuba.⁶ In 1521 the necessity of defending the lengthening coast-line of the Spanish colonies on the Main as well as among the islands led to the fitting out of a line of *guarda costas* for constant service in those seas.⁷ The interminable wars of Francis I. and Charles V. gave French seamen impulse and excuse for a long series of marauding expeditions by land as well as by sea. A Milanese, Girolamo Benzoni, who has left an account of his travels in the Indies between 1541 and 1556, tells a

³ Jean Baptiste Labat, a Dominican friar, who travelled in the French Indies in 1696, in praising Governor Ogeron of Tortuga, testifies to the freedom with which privateers' commissions were exchanged: "On n'a jamais vû de Gouverneur plus désintéressé que lui. A peine vouloit-il recevoir une légère portion de ce qui lui revenoit pour son droit des Commissions qu'il donnoit quand nous étions en Guerre. Et lorsque nous étions en Paix avec les Espagnols, et que nos Flibustiers n'ayant rien à faire auroient pû se retirer chez les Anglois de la Jamaïque, et y conduire leurs prises, il avoit soin de leur faire venir des Commissions de Portugal qui étoit pour lors en Guerre avec l'Espagne, en vertu desquelles nos Flibustiers continuoient de se rendre redoutables aux Espagnols." *Nouveau Voyage aux Isles de l'Amérique* (The Hague, 1724), II. 210-211.

⁴ J. de Veitia Linage, *The Spanish Rule of Trade to the West Indies*, translated from the Spanish by John Stevens, London, 1702, p. 173: "The Admirals have order to put to Death any Pyrates they shall take . . . if they think fit not to put them to Death, they are to deliver them Prisoners at the India house. Formerly all were reputed Pyrates that were found beyond the Canary-Islands, Sailing towards the West-Indies."

⁵ E. J. Payne thus accounts for the early appearance of the French on the coasts of South America. *History of the New World called America* (Oxford, 1892), I. 279.

⁶ *Colección de Documentos Inéditos del Archivos de Indias*, series II., vol. VI., no. 281.

⁷ *Monson's Tracts* (Navy Records Soc.), II. 321.

picturesque story of a French corsair who, in 1538, extorted a ransom of seven hundred ducats from the town of Havana, and, being chased by three Spanish ships, made prize of all three, then returned to Havana, and compelled another ransom to atone for the indignity of pursuit.⁸

The discovery of the mines of Potosi in 1545 and the astounding rumors of the treasure Spain reaped from them, made the security of ships and towns in the Indies still more precarious. From this time, too, the Huguenot seamen from Rochelle and Dieppe began their piratical cruises along the Main and among the islands. These fanatics were the most ruthless and cruel of all the freebooters that sailed those seas. They cut down their prisoners like dogs or devoted them to a slow torture in which they lingered miserably for days; the towns that fell into their hands were burned after being pillaged. By the middle of the sixteenth century nearly all the important coast settlements of Spanish America had been sacked at least once.

Laudonnière's Huguenot colony in Florida was regarded by Menendez, who destroyed it, as an attempt to establish headquarters conveniently close to Spanish dominions, whence their pirates could pounce upon the Mexican fleet before it reached Havana, or even seize upon Cuba.⁹ Laudonnière himself tells of the difficulty he had in restraining his soldiers who "would enterprise somewhat against the King of Spaines Subjects".¹⁰ His soldiers reasoned that "if their enterprise should bee misliked withall in France, they should bee alwayes able, by reason of the great wealth that they should gaine, to retire themselves into Italy, untill the heat were overpassed, and that in the meane season some warre would fall out, which would cause all this to be quite forgotten."¹¹

That the English were not as prompt as the French in collecting a share of the Spanish treasure was not due to a more scrupulous conscience as regards piracy. Throughout the Middle Ages the

⁸ Benzoni, *History of the New World* (Hakluyt Soc. Pub.), XXIV. 102. The *Col. Doc. Inéd.* contains numerous documents showing the constant dread of French privateers felt by Spanish officials in the West Indian coast towns, not only during the European wars but in the intervals between: series I., vol. I., pp. 511, 513, 543, vol. XII., p. 49 ff.; series II., vol. IV., p. 425, 440, vol. VI., pp. 22, 23, 25, 36, 73, 256, 297, 364, 376, 384, 386, 436.

⁹ Of the French in Florida Menendez wrote: "If they shall proceed to the Islands, with the intent of committing robbery and cruelties, or shall attempt to lie in wait for any fleet from New Spain, I may be able to spy them and give such favors as I may be able, on the one side or the other." Massachusetts Historical Society *Proceedings*, second series, vol. VIII., p. 465.

¹⁰ R. Hakluyt, *Principal Navigations* (Hakluyt Soc. ed.), IX. 40.

¹¹ *Ibid.*

Cinque Ports had swarmed with pirates who took toll of the commerce that passed through the Narrow Seas, sometimes as free-lance auxiliaries to the royal fleet in time of war, but quite as often in unmitigated piracy, not caring whether the prize were enemy, ally, or Englishman.

In the first half of the sixteenth century, however, the English pirates had not the provocation to extend their sphere of activities to the Indies which the wars of Francis I. offered the French corsairs. In these wars England was as a general thing on the side of the Empire and against France. Commercially the relations of England and Spain had been amicably adjusted on the basis of mutual freedom of trade by the treaty of 1515.¹² The first English vessels to enter the Caribbean came with peaceable intentions of trade and discovery, and it was in the effort to break down the Spanish monopoly of trade in the New World that the English finally took up the rougher game already begun by the French.¹³

The voyages of John Hawkins in 1562, 1564, and 1567, mark the transition in England's relations with Spain from the peace and alliance of the reigns of Henry VIII. and Mary to the almost fanatic enmity of the time of Elizabeth. Hawkins's disregard of the prohibitions from Madrid that met him on his second trading voyage to the Indies, and again and more stringently in 1567, and his warlike methods of forcing trade, brought about a definite rupture of the peace in his battle with a Spanish fleet in the harbor of Vera Cruz, which in turn led to the ample protracted reprisals of Francis Drake and lesser privateers and pirates, and hastened the inevitable war with Spain.

The recognized warfare of 1588 and the defeat of the Armada left the way to the Indies open, and English privateers in large numbers, nobles, courtiers, merchants, and ship-owners, crossed the Atlantic to seek easy fortunes for themselves, and, more or less incidentally, to win glory in serving their country.¹⁴ The galleons

¹² J. Dumont, *Corps Universel Diplomatique du Droit des Gens*, vol. VI., pt. 1., pp. 204-209. English statesmen tried vainly to stretch this treaty to include free trade to the Indies. See Historical Manuscripts Commission, *MSS. of the Marquis of Salisbury*, II. 230, also X. 146.

¹³ The severe penalties threatened to foreigners trading to the Indies by the Spanish laws resulted in a great deal of fighting on the sea, and the barbarity of their occasional enforcement gave foreign traders excuse for assuming the offensive. See Veitia Linage, pp. 128-129.

¹⁴ Sir William Monson gives a list of the English privateers that went to the Indies during the war, and adds: "And thus have more seamen been consumed than in all other actions or enterprises against Spain. And no man dares reprove it, because the Lord Admiral is interested in all such prizes as these unprofitable ships take." Monson's *Tracts* (Navy Records Soc.), II. 238.

that carried the royal treasure to Spain sailed in fleets, protected from privateers by heavy armament and escorted by specially provided men-of-war,¹⁵ but the luckless islands and coast towns were not valuable enough for such costly protection and continued the prey of every handful of ragamuffins that set upon them. The inhabitants had formed the habit as early as Hawkins's second voyage of scuttling away to the forests whenever a strange sail appeared off their coasts.¹⁶ This inertness of the Spanish colonists, their inability to defend themselves from attack, is a monotonously constant feature in the history of the Indies. Their assailants were usually few and armed haphazard, relying for success on the demoralizing effect of a surprise, and the Spaniards after close on a century of experience were always surprised and always demoralized.

The death of Elizabeth and the conclusion of peace with Spain in 1604 closed English ports to Spanish prizes, and they remained closed during the reign of James. Throughout those endless, futile negotiations of the Spanish marriage the king's hand was heavy on such freebooters as fell in the way of his ships, and in final emphasis of his point of view he sent to execution Sir Walter Raleigh, one of the last of the Elizabethan sea-dogs "flesh'd in Spanish blood and ruine".¹⁷

In order to find a market for Spanish prizes from the Indies it became necessary for unreconstructed British seamen to seek authorization from some other power. Some asked for letters of marque from James's luckless son-in-law, the King of Bohemia.¹⁸ Perhaps he saw the irony of inviting trouble in the West Indies when so much lay close at hand, for the letters were not forthcoming. In another quarter the English privateers received more encouragement. Spain was still trying to reduce to obedience the revolted Netherlands, and it is probable that many Englishmen served in Dutch privateers or themselves obtained letters of marque from the States General

¹⁵ Veitia Linage, pp. 192 ff.

¹⁶ "In this Island, notwithstanding that we were not within foure leagues of the Towne, yet were they so afraid, that not only the Governour himselfe, but also all the Inhabitants forsooke their Towne . . . and fled into the mountains." John Hawkins's second voyage in *The Hawkins Voyages* (Hakluyt Soc. Pub.), LVII. 26.

¹⁷ Raleigh could not believe that the king's scruples against privateering were proof against Spanish gold. He is said to have mentioned to Sir Francis Bacon his attempt to capture the Spanish Plate Fleet on his way home from Guiana. Bacon protested that such an act would have been piracy. "Oh", replied Raleigh, "did you ever know of any that were pirates for millions? they only that work for small things are pirates." *The Discovery of the Large, Rich and Beautiful Empire of Guiana, performed by Sir Walter Raleigh, Knight* (Hakluyt Soc. Pub.), vol. III., app., p. 221.

¹⁸ *Cabala or Mysteries of State* (London, 1663), p. 195.

during the reign of James. The Hollanders had made themselves redoubtable in the Indies after the fashion of the Elizabethan privateers in the last decade of the sixteenth century, and until the Peace of Westphalia their freebooters were a menace to Spanish commerce and the royal treasure.

Side by side with their privateering expeditions the Dutch carried on a profitable trade with the natives on the Main (and, when opportunity favored, with the Spanish colonies), which had thriven in spite of Spain's efforts to stamp it out.¹⁹ The Spaniards were convinced that Englishmen were assisting the Dutch in both capacities, and when they caught an English vessel in the West Indies, the crew was handed over to the Inquisition, whose tenderest mercies were the prison or the galleys.²⁰ In 1606, only two years after the peace, the English ambassador at Madrid complained of this treatment of English mariners, and received from the Duke of Lerma the reply that the admiral who had so used the men should be called to account "for that he did not instantly execute them".²¹

The French appear to have been relatively few in the Indies for almost a quarter of a century after the Edict of Nantes conceded security and religious privileges to the Huguenots in France.²² The field was clear for the Dutch and the English, and Thomas Gage, an English priest who began his travels in Spanish America in 1625, found the inhabitants in such abject dread of Hollanders and Englishmen that the rumor of their approach made them "sweat with a cold sweat".²³ The outbreak of the war between Spain and England on the accession of Charles I. in 1625 enabled the English

¹⁹ Thomas Gray, an English sailor who had been a prisoner in Spain in 1600, reported on his return to England that a Spanish fleet of sixteen sail had been sent to the West Indies "to keep the Flemings and others from the trade of Margarita and Cumana and those parts". Hist. MSS. Com., *MSS. of the Marquis of Salisbury*, XI. 213.

²⁰ "The narrative of the voyage of Henry Challons, intended for Virginia", in 1606, tells of the capture of a number of English ships in the Indies. The writer concludes: "This I . . . noted to the end that it may be the better considered what numbers of ships and men have gone out of England, since the conclusion of the peace betweene England and Spaine, in the way of honest Trade and Traffique, and how many of them have miserably miscarried. Having beene slaine, drowned, hanged or pitifully captived, and thrust out of their ships and all their goods." *Purchas His Pilgrimes* (Hakluyt Soc. ed.), XIX. 296. Sir Thomas Roe, who had been sent by Prince Henry in 1611 on an exploration in South America, wrote that the Spaniards used Englishmen worse than they did the Moors. *Cal. St. P., Col.*, February 28, 1611, p. 11.

²¹ Ralph Winwood, *Memorials of Affairs of State in the Reigns of Queen Elizabeth and King James I.* (London, 1725), II. 221.

²² Thirteen men of Rochelle were hanged for piracy in Brazil, however, in a year not far from 1610. *The Voyage of Pyrard de Laval* (Hakluyt Soc. Pub.), vol. LXXX., bk. 11., pp. 326-327.

²³ T. Gage, *New Survey of the West Indies* (London, 1699), p. 422.

rovers to take up privateering under their own flag once more, until the peace of 1630 recalled them.

At what date Europeans other than Spanish began actual settlement in the Indies is not exactly ascertainable. By the beginning of the seventeenth century Spanish occupation of the islands was confined to the Greater Antilles, and the settlements on these were scattered and sparsely populated. The whole arc of the Caribbees had been abandoned, in the case of some islands because of their unproductiveness, in that of others because they were inhabited by warlike natives not easy to dispossess. The available harbors of these smaller islands were known to the piratical seamen of the sixteenth century and to them they went for water and to careen their ships. The cattle introduced by the Spanish had, as early as 1564, increased overwhelmingly²⁴ and were running wild in many of the islands, which furnished an easy means of provisioning after the long voyage over. Temporary camps were probably made by the crews while hunting, and by mariners whose ships had been wrecked on unguessed shoals along the coasts, or by the resistance of Spanish galleons. As time went on certain of these stations became permanent rendezvous where the corsairs assembled for their more ambitious expeditions. At first they had no national character, but were road-houses for all strays and marauders in those seas. Guadeloupe was the first good harbor for ships coming from Europe, and Gage, who touched there in 1625, noticed that the canoes of the natives had been painted, some "by our English, some by the Hollanders, some by the French, as might appear by their several Arms, it being a common Road and Harbour to all Nations that sail to America".²⁵ The hunting-ground in West Hispaniola, which became a famous resort of pirates, grew into a colony in much the same way. The hordes of wild cattle offered an easy subsistence and the sailor-hunters learned to cure the meat over wood-fires, Indian fashion, the product being called *boucan*. As this method of provisioning became more and more an established avocation of the pirates, they began to be called by the French, *boucaniers*, which the English adopted as *buccaneer*.²⁶ By what has

²⁴ Hawkins, on his second voyage to the West Indies, marvelled at the "exceeding plenty of cattell" which ran wild on Curaçao and Santo Domingo. *The Hawkins Voyages*, pp. 36-37.

²⁵ Gage, p. 37.

²⁶ "They cate all their meate broyled on the coales, and dressed in the smoake, which in their language they call Boucaned." Hakluyt, *Principal Navigations*, VIII. 456. Labat gives this derivation of the word, but carries it farther back with the statement that the Indian huts in which the meat was stored were called *boucans*. Vol. II., p. 201.

the appearance of an exchange of titles, the French took up the English word *freebooter* as *flibustier*, which has been translated back into English with a new meaning as *filibuster*.²⁷

On the heels of this spontaneous, irregular colonization began a more orderly settlement undertaken with the countenance of the European states. England, France, and the Netherlands began the establishment of colonies in the West Indies almost simultaneously in 1625.²⁸ By 1650 all the Caribbees were pre-empted except Dominica, St. Vincent, and Santa Lucia, where the natives continued to hold their own. The buccaneer camps here and there among the islands were overwhelmed by the new tide of settlement.

Spain watched this rush of colonization with misgiving for it seated her bitterest enemies at her doors. Several times Spanish forces drove out the trespassers in one or another of the islands, but as they were unable to garrison them sufficiently the former occupants would return and the work would be to do over again.²⁹

By far the most troublesome neighbors to Spain were the English on the island of Providence and the buccaneer settlements on Tortuga and Hispaniola. The former colony, established in the year of the peace, 1630, was so close to the Main that its ships were easily able to harass the important line of communication between Carthagena and Porto Bello. As a business venture the plantation seems not to have been a success, but as a base of warlike operations against Spanish ships it proved highly satisfactory. The Company of Providence Island, which directed the affairs of the colony from London, was at first anxious to avoid antagonizing the Spanish, but after 1635, in which year Spanish forces made a vain attempt to regain the island, the king allowed the adventurers to retaliate, promising that "whatever they should take in the West Indies by way of reprisal, should be adjudged lawful".³⁰ With this permission the company set about avenging the attack; it engineered hostilities from England, appointed captains, issued instructions, and took account of prizes, like a board of war. Some of its captains held Dutch letters of marque as well as the English commissions.³¹

²⁷ Larousse, *Grand Dictionnaire Universel*, under *flibustier*.

²⁸ England claimed possession of Barbados in 1605, but actual settlement was not begun there till 1624-1625. C. P. Lucas, *A Historical Geography of the British Colonies* (Oxford, 1890), II. 49. On St. Kitts the beginnings of English colonization were made in 1623, but were insignificant until 1625, in which year a French colony was also established on the island. *Ibid.*, p. 134. English and Dutch took possession of Santa Cruz jointly in 1625. *Ibid.*, p. 50.

²⁹ Such attempts on the part of Spain to regain her lost possessions led to the expulsion of English and French settlers from St. Kitts and Tortuga, and of English from St. Martin's, Santa Cruz, and Providence. Thurloe, III. 59, 505.

³⁰ *Cal. St. P., Col.*, January 29, 1636, p. 220.

³¹ *Ibid.*, March 26, 1636, p. 226.

Gage passed the island in 1637 in a Spanish ship bound from Porto Bello to Carthage, and wrote: "the greatest fear that possess'd the Spaniards in this Voyage, was about the Island of Providence, called by them Sta. Catarina or St. Katherine, whence they feared lest some English ships should come against them with great strength. They cursed the English in it, and call'd the Island a den of Thieves and Pirates."³² At Carthage Gage found about a dozen English prisoners from Providence who had been taken at sea and were awaiting transportation to Spain.³³ In 1641 the Spaniards finally succeeded in retaking the island. England appears to have made no formal protest at the time, though at the outbreak of Cromwell's Spanish war some of the members of the Company of Providence Island received letters of marque in order that they might obtain compensation for their losses,³⁴ and in 1660 they again petitioned for license of reprisal.³⁵

The buccaneer colony of Tortuga was destined to become a still more annoying thorn in Spanish flesh. It was the outgrowth of the hunting establishment in western Hispaniola, recruited probably by French and English refugees expelled by the Spanish from St. Kitts and other colonies. In 1630 or thereabouts, the buccaneers took possession of the small island of Tortuga, lying close off the northwest end of Hispaniola, and used it as a storehouse for their hides and smoked meat, continuing to hunt on the larger island.³⁶ As their coast lay along the Windward Passage between Cuba and Hispaniola, which, next to the Yucatan Channel around the west end of Cuba, was the most direct way out of the Caribbean to Havana, they were in a position to do considerable damage to Spanish ships. The colony was at one time a dependency of Providence,³⁷ later of French St. Christopher.³⁸ Several times Tortuga was retaken by the Spanish, but each time the buccaneers escaped to the forests of Hispaniola, from which they could not be dislodged unless the Spanish undertook to hunt them out one by one. In 1657 they had re-collected on Tortuga, and French and English interests in the Indies were in rivalry to furnish them a

³² Gage, p. 451.

³³ *Ibid.*, p. 452.

³⁴ *Cal. St. P., Col.*, October 26, 1655, p. 431.

³⁵ *Hist. MSS. Com., Seventh Report*, app., p. 142 a, MSS. of the House of Lords.

³⁶ Labat, II. 202.

³⁷ The English at Tortuga petitioned the Company of Providence Island in 1631 to take Tortuga under its protection (*Cal. St. P., Col.*, May 24, 1631, p. 130), which the company did, obtaining an enlargement of its patent from the king (*ibid.*, May 1631, p. 131). As Association Island it remained English until its recapture by the Spanish in 1636 (*ibid.*, January 20, 1637, p. 244).

³⁸ Labat, II. 202.

governor.³⁹ The considerable majority of French inhabitants on the island inclined toward the French candidate and from 1659 Tortuga and an indefinite portion of western Hispaniola were accounted a part of the French colonial empire.

The community at Tortuga became a sort of piratical fraternity with a peculiar code of laws and customs.⁴⁰ The colony attracted the disorderly and rapacious from every quarter of the Caribbean, Dutch, English, and Portuguese, though the French element continued to predominate. The governors encouraged them in their piracies because of the wealth they brought back to the island.⁴¹ Often the robbers were privateers sailing under the letters of marque of any power that would grant them, but this formality could be dispensed with on a pinch. They formed a sort of mercenary navy, unruly and barbarous, which was feared even by the colonies that made use of it. It was from Tortuga that the governors of Jamaica drew material for their buccaneering enterprises. Later, under cover of the wars of Louis XIV., the *flibustiers* of Tortuga terrorized the trade of the West Indies by their indiscriminate seizure of ships and their cruelty to captives. The character of the colony persisted until the accession of a Bourbon prince to the throne of Spain enforced peace between French and Spanish in the Indies.

The expedition which Cromwell sent against Hispaniola in 1654 was a reversion to the methods of Drake almost a century after their time. The Protector regarded the attack not as war but as reprisal;⁴² he intended it as a threat which should humble Spain into granting the concessions he demanded: liberty of trade between England and her own West Indian colonies, and the security of English

³⁹ Thurloe, VI. 391.

⁴⁰ One of these customs was the practice of insuring the participants in any enterprise against wounds or mutilation: if a buccaneer lost his right arm in an encounter with the enemy, he received 600 pieces of eight or six slaves, for the left arm, 500 pieces of eight or five slaves, and so on down the list of possible injuries. Esquemeling, I. 42; Labat, I. 75. A later confirmation of this custom is Kidd's agreement with his men. *Cal. St. P., A. and W. I.*, April 23, 1700, p. 199.

⁴¹ For the encouragement given the buccaneers by the French governors of Tortuga, see Labat, II. 5 ff.

⁴² Even at this date uncertainty prevailed as to whether war in the West Indies would involve the two states in Europe: "... though it be beyond the line, yet I cannot imagine that the Spaniards can find themselves assaulted in so important a part and remain friends with them that do it." *Clarendon State Papers*, III. 264, Lord Jermyn to the king. "... notwithstanding our warr wi h the Spaniard in America, it is possible, if not reasonable to expect that wee may have peace and trade in Europe." *The Clarke Papers* (Camden Soc. Pub.), III. 205, Edward Montagu's notes on the debates in the Protector's Council concerning the expedition.

merchants and seamen from the Inquisition. The event proved that he had underestimated the mettle of his adversary and the difficulty of the undertaking. The attack on Hispaniola failed, but Jamaica, thinly populated and unfortified, was easily occupied. There is no evidence that the pirates of those seas either hindered or aided the expedition.⁴³ Tortuga had been recaptured by Spain for the second time in the year of the fleet's arrival in the Indies,⁴⁴ and the buccaneers were for the moment scattered and powerless.

With the conquest of Jamaica the great era of buccaneering began, for, from the point of view of the piratical profession, the island offered an ideal base of operations. The Lesser Antilles were too remote from the ordinary paths of Spanish commerce for their inhabitants to be tempted often from the way of peace. The same may be said of Barbados, which had the further disadvantage of a lack of good harbors. Jamaica, however, was "a citadel over all the Spanish West Indies";⁴⁵ its coasts lay close to those of Cuba and Hispaniola, and it commanded the straits between from the south. "Not a ship can stir for Carthagene or Cuba, but must come in view of this island", wrote Fortescue, the first military governor of Jamaica.⁴⁶ In number of good harbors Jamaica was the most fortunate of all the West Indies, having available roadsteads on every coast.

The encouragement that the governors of Jamaica gave the buccaneers was at first forced upon them by the danger of attack from the Spanish Indies. The breath of a rumor of Spanish troops mustering, and the Jamaicans were in a tumult of fright and suspicion, for which there was genuine cause, ridiculous as it now

⁴³ G. W. Bridges asserts that the buccaneers assisted Penn's fleet as privateers (*Annals of Jamaica*, London, 1828, I. 206), but does not give the source of his information. A paper addressed to the Protector and Council and signed by the officers of Venable's army, July 18, 1655, suggests that admiralty courts be erected in Jamaica and commissions be granted to private men-of-war (Thurloe, III. 661), which would indicate that hitherto no such commissions had been issued. In July, 1657, General Brayne, then commanding the army in Jamaica, complained: "Our commission for a court of admiraltie is of noe use to us, for the securities to be given, and other niceties in it, hath detained us from granting any lettres of mart, which hath bin a very great losse to the state, for the French generall graunts to all that aske, wereby he brings in a very considerable revenue." *Ibid.*, VI. 391.

⁴⁴ The English found Tortuga deserted in 1656, but a Spanish proclamation was posted on the island dated August 25, 1655, forbidding Dutch, French, or English to settle there. *The Narrative of General Venables*, edited by C. H. Firth, Royal Hist. Soc. Pub., app. F, pp. 170-171.

⁴⁵ A summary prospect of the advantages and conveniences capable to arise to his Majesty from the planting of Jamaica. *Cal. St. P., A. and W. I.*, 1670 (?), p. 150.

⁴⁶ Thurloe, III. 674.

seems. In capturing Jamaica England had not stepped into occupation of a deserted and insignificant island in the wake of Spanish colonial advance, but had conquered an actual Spanish dependency, and her possession of it would be not merely a standing refutation of the claims in which Spain still persisted, but a menace to the oldest and richest parts of the Spanish dominions overseas. It was many years before Spain could be brought to acknowledge that Jamaica was English territory,⁴⁷ and the interval was one of painful uncertainty to the English colonists on the island, who, remembering what had befallen St. Kitts and Providence, could not be sure that even the conclusion of the war would secure them from attack. Jamaica was a thousand miles from Barbados, eight hundred from St. Kitts; if beset by the enemy it could depend only upon its own resources for defense. In view of these facts it is not surprising that the Jamaicans fell into the way of interpreting all signs from the Spanish Indies as war's alarms, and began early to patronize the buccaneers who were willing to fight and rob the Spanish for any one that would give them papers.

Letters of marque were conferred at first chiefly on the freebooters from Tortuga, Frenchmen for the most part, with a sprinkling of Dutch, English, and Portuguese; but it is probable that the army left in Jamaica took kindly to the profession, for the number of English privateers increased rapidly. The island had a population of but three thousand at the time of the English conquest, of which a large part were negro slaves, and of the whites perhaps half were Portuguese.⁴⁸ Cromwell proposed to send over shiploads of "idle, masterlesse vagabonds and robbers" from Scotland,⁴⁹ and this plan, if carried out, must have helped to establish the lawless reputation of the colony and furnished good material for privateering. Whether begun by Cromwell or not, this policy was certainly carried on vigorously after the Restoration.⁵⁰ It happened not uncommonly that indentured servants who had run away or had completed their term of service became apprentices in piracy at

⁴⁷ The treaty of 1670 tacitly admitted the English right of possession, but even there Jamaica was not specifically named.

⁴⁸ *The Narrative of General Venables*, p. 47.

⁴⁹ Thurloe, IV. 129. A large number of these "idle vile rogues" were collected (*ibid.*, IV. 695-696), but I find no order for their actual embarkation.

⁵⁰ Irish criminals in large numbers were deported and dumped on the West Indian islands (see the petitions of such persons listed among the Ormonde MSS., Hist. MSS. Com., *Ninth Report*, pt. II., app., and *Tenth Report*, pt. v., app.); a large proportion of them must have found their best chance of fortune in Jamaica. That English convicts were got rid of in the same way is well known; Jamaica seems to have been particularly favored. *Acts of the Privy Council, Colonial*, June 19, 1661, p. 310; July 19, 1661, p. 314; July 24, 1661, p. 315.

Tortuga, whence they would return to Jamaica for employment.⁵¹ A new town, Port Royal, on what is now Kingston Harbor, sprang into existence, winning to itself at once a large population that hoped to find the short cut to fortune through privateers' spoils. The old Spanish capital of Jamaica, St. Jago de la Vega, was out of touch with the sea, having been built a few miles inland to be safe from the old Huguenot pirates, and so, unsought by the adventurers that swarmed into Port Royal, remained obscure and insignificant but keeping—even to this day—a Latin leisureliness and dignity.

The conclusion of the war between England and Spain did not end the privateering from Jamaica. No recognition of the English title to the island was secured, so the danger of Spanish reconquest continued imminent. By the middle of 1660 the last English frigate had started home,⁵² leaving the island with no naval protection other than that afforded by the privateers. Early in 1661, Governor D'Oyley, having received the king's orders to cease all hostilities against the subjects of the King of Spain, ordered all captains of ships of war out on his commission to return at once for further instructions.⁵³ There is no indication that he actually revoked the commissions at this time; it is quite likely that the privateers refused to come in, as they did in the case of similar summonses afterward. The insubordinate character of the people D'Oyley was attempting to govern is shown by the fact that when he called a council to consider the restitution of certain Spanish negroes seized after the peace had been proclaimed, the council decided that "the Proclamation did not concern this side of the line", and D'Oyley concluded that it was wisest to drop the matter, "having already, by the order for cessation, sufficiently enraged the populace, who live only upon spoil and depredations, and whom nothing but strict law and severe justice can keep in obedience".⁵⁴

On August 2, 1661, Lord Windsor was commissioned governor of Jamaica to succeed D'Oyley. In his instructions he was urged "to endeavor to obtain and preserve good correspondence and free commerce with the plantations belonging to the King of Spain, but if the Governors of said King refuse, to endeavor to settle such trade by force, and by doing such acts as the Council shall judge most proper . . . to admit them to a free trade".⁵⁵ England had,

⁵¹ Both Henry Morgan and the author of *Bucaniers of America* had been indentured servants before they became privateers. Esquemeling, vol. I, pt. I., pp. 10-11, and pt. II., p. 32.

⁵² *Cal. St. P., Col.*, July 26, 1660, p. 485.

⁵³ *Cal. St. P., A. and W. I.*, February 5, 1661, p. 5.

⁵⁴ *Ibid.*, March (?), 1661, p. 21.

⁵⁵ *Ibid.*, April 8, 1662, p. 85.

by the Navigation Acts of 1650 and 1651, re-enacted in 1660, shut other nations out of trade with her colonies, but she was far from resignation to the similar policy of Spain. The Royal African Company, chartered in 1660, had obtained the sole right of trade between England or her colonies and Africa, the most important part of this concession being the monopoly of the slave-trade. In addition to supplying the English plantations with blacks, the company was attempting to slip into a covert trade with the Spanish colonies where larger profit lay. In this it met with the determined rivalry of better accredited traders, for Genoese merchants had secured an *assiento* from Spain to supply the Spanish plantations with slaves for seven years, and they had contracted with the Dutch to deposit the negroes at Curaçao whither the Spaniards came to buy them.⁵⁶ The Genoese were able to undersell the Royal Company, and though for a couple of years after the Restoration occasional Spanish ships touched at Barbados and even at Jamaica for negroes, the golden future that the company saw in this beginning did not materialize and the ships ceased to come, partly because of the export duty of ten pieces of eight per head which they must pay in addition to the price of the negroes,⁵⁷ and partly because the piracies of the English frightened them off. As the king, the Duke of York, other members of the royal family and prominent men at court were shareholders in the African Company, it is not surprising to find it exerting paramount influence on British policy in the Indies. Lord Windsor's instructions indicate the alternative now proposed in the company's interests to the Spanish governors: Give us your trade or we will ruin it.

Windsor made prompt use of the *carte blanche* of his instructions. Being refused trade at Porto Rico and Santo Domingo,⁵⁸ he sent an expedition against Santiago de Cuba in September, 1662, which captured and sacked the town,⁵⁹ then having secured his share of the plunder, the governor set sail for home in October, leaving the administration in the hands of the deputy-governor, Sir Charles Lyttleton.⁶⁰ "These young lords are not fit to do any service abroad", was Pepys's comment when he heard of Windsor's return.⁶¹ A letter from the king to Lyttleton referred leniently to the affair of Santiago de Cuba, but forbade similar undertakings on the ground

⁵⁶ *Ibid.*, May 25, 1664, p. 211.

⁵⁷ *Ibid.*, November 20, 1663, p. 169.

⁵⁸ *Ibid.*, August 20, 1662, p. 106.

⁵⁹ Hist. MSS. Com., Heathcote MSS., pp. 34 ff.; Captain Chris. Mines to [Lord Windsor].

⁶⁰ *Cal. St. P., A. and W. I.*, October 24-28, 1662, p. 112.

⁶¹ *Diary and Correspondence of Samuel Pepys* (London, 1869), I. 383.

that they would disable Jamaica for its own defense and divert the inhabitants from planting.⁶² This prohibition reached Jamaica in time to stay a second expedition—this time against the Main—which Lyttleton was preparing.⁶³ Later in that same year, 1663, orders from the king forbidding any further attacks upon the Spanish were read in the Council of Jamaica, and the minutes add that all private men-of-war were to be called in at once.⁶⁴ But contradictory orders from the Duke of York, who as lord high admiral was interested in the continuance of his income from the tenths of prizes, convinced Lyttleton that “the war with privateers was not intended to be taken off by the King’s instructions”, and he did not revoke the commissions.⁶⁵ The privateers continued to bring in Spanish prizes, and the Spaniards retaliated when they could, which was frequently enough to keep the Jamaicans restless and vengeful.

A new governor of Jamaica to succeed Windsor was not appointed until February, 1664, when Sir Thomas Modyford received the royal commission. Modyford was a cousin of the first Duke of Albemarle⁶⁶ and had fought for the king in the Civil War. In 1647 he left England for Barbados, where he owned a large plantation and soon became one of the influential men of the island. He was at first an ardent Royalist and joined in the opposition to the Commonwealth fleet under Sir George Ayscue which demanded the surrender of the island in 1651.⁶⁷ After the news of the Royalist defeat at Worcester reached Barbados, Modyford’s loyalty became less pronounced. He entered into secret negotiations with Ayscue and finally went over to the enemy, taking with him the regiment of which he was colonel.⁶⁸ Shortly before the Restoration Modyford was appointed governor of Barbados in recognition of these services,⁶⁹ although he was heartily hated on the island. Charles II., however, chose to reward the sturdy loyalty of Francis, Lord Willoughby, with the government of Barbados, but although Modyford had made ardent profession of his allegiance to the Cromwellian government,⁷⁰ Monk’s influence saved him from disgrace, and in 1664 he received the appointment to Jamaica and the dignity of

⁶² *Cal. St. P., A. and W. I.*, April, 1663, p. 129.

⁶³ *Correspondence of the Family of Hatton*, I. 30.

⁶⁴ *Cal. St. P., A. and W. I.*, August 11, 1663, p. 152.

⁶⁵ *Ibid.*, October 15, 1663, p. 164.

⁶⁶ *Ibid.*, August 31, 1663, p. 157.

⁶⁷ N. D. Davis, *Cavaliers and Roundheads of Barbados* (Georgetown, British Guiana, 1887), pp. 153-155, 217-219.

⁶⁸ Davis, pp. 233 ff.

⁶⁹ *Cal. St. P., Col.*, July 16, 1660, p. 484.

⁷⁰ Additional MSS., 35251, f. 39. Protestation of loyalty to the Protector’s government by Thomas Modyford of Barbados, 1656.

baronet. He was energetic and capable, but impetuous, short-sighted, and none too honest in the use of his office. However, since his salary appears to have been irregularly paid, it is hardly surprising that he turned his authority to account in any way that opened.⁷¹

The instructions given Modyford with his commission ordered him "to prohibit the granting letters of marque, to encourage trade, and particularly to keep good correspondence with the Spanish Dominions".⁷² Modyford set about accomplishing these matters with "a heart full of alacrity". He wrote a suave letter to the governor of Santo Domingo, concluding: "In the meantime let us not only forbear all acts of hostility, but give each other the free use of our respective harbours and the civility of wood, water, and provisions for money."⁷³ The bearers of this olive-branch were further instructed to sound the inhabitants concerning a trade at Jamaica in slaves.⁷⁴

In regard to the privateers Modyford sent out a vessel to call them in and issued a proclamation ordering that all Spaniards be treated as friends and allies, and that no seizures of their ships or goods should be made by virtue of any commission.⁷⁵ The success of both of these measures is described in a letter from Colonel Thomas Lynch, who had lived in Jamaica since the English conquest of the island, to Sir Henry Bennet, Secretary of State:

The Swallow and Westergate went to San Domingo, where Col. Cary, C. Hemlock, and J. Perrott obtained a favourable answer to Sir Thos. Modyford's overtures of peace, but it is improbable Jamaica will be advantaged by it, for it is not in the power of the Governor to have or suffer a commerce, nor will any necessity or advantage bring private Spaniards to Jamaica, for we and they have used too many mutual barbarisms to have a sudden correspondence. . . . The calling in the privateers will be but a remote and hazardous expedient, and can never be effectually done without five or six men-of-war. If the Governor commands and promises a cessation and it be not entirely complied with, his and the English faith will be questioned and the design of trade further undone by it. Naked orders to restrain or call them in will teach them only to keep out of this port, and force them (it may be) to prey on us as well as the Spaniards. What compliance can be expected from

⁷¹ Modyford is said to have accepted a leopard's skin filled with pistons as a gift for his acquiescence in granting commissions to privateers. Bridges, I. 264. According to his son's account, the governor received a twenty-pound fee for each commission. *Cal. St. P., A. and W. I.*, June 28, 1671, p. 235. Modyford's salary of £1000 was supposed to come out of an imposition on liquors, but Charles Modyford stated that the income thus derived averaged only £600 a year. *Ibid.*

⁷² *Ibid.*, February 18, 1664, p. 187.

⁷³ *Ibid.*, April 30, 1664, p. 208.

⁷⁴ *Ibid.*, May 2, 1664, p. 209.

⁷⁵ *Ibid.*, June 15, 1664, p. 220.

men so desperate and numerous, that have no other element but the sea, nor trade but privateering. There may be above 1,500 of them in about 12 vessels, who if they want English commissions can have French and Portugal papers, and if with them they take any thing they are sure of a good reception at New Netherlands and Tortugas. And for this we shall be hated and cursed, for the Spaniards call all the rogues in these seas, of what nation soever, English. And this will happen, though we live tamely in Jamaica, and sit still and see the French made rich by the prizes, and the Dutch by the trade of the West Indies.⁷⁶

It soon became clear that Lynch was right. Only three of the privateers having Lord Windsor's commission came in, one of them bringing a Spanish prize with him.⁷⁷ The rest stayed out, and the fear lest they should ally themselves with the French at Tortuga, or even with the Spanish, and turn upon Jamaica, alarmed both Modyford and his deputy-governor, Colonel Edward Morgan, into urging upon the government at home the wisdom of a milder policy. As a step toward the moderation he advised, the governor had the latest Spanish prize condemned by the Admiralty Court, and himself bought up the cargo—for considerably less than it was worth—under a pseudonym.⁷⁸ Before news of this discreet arrangement could have reached England, a letter from the king arrived expressing displeasure at the continued depredations upon Spanish ships and subjects, and reiterating Modyford's previous instructions to prohibit such violences for the future and punish the offenders.⁷⁹ In a spasm of obedience the Council of Jamaica ordered that persons making any further attempts upon the Spaniards be looked upon as pirates and rebels.⁸⁰ So positive had the tone of these orders been that the council was entirely bewildered when a letter from the Duke of York enjoined the governor to take care of the lord admiral's dues from all men-of-war.⁸¹

The lukewarm efforts of the council to get the privateers into port did not induce many of them to put their reception to the test, and at the close of 1664 but fourteen out of the fifteen hundred which Lynch had estimated were in custody at Port Royal. The situation was opportunely relieved, however, by the imminence of the Dutch War which provided an outlet for the energies of the privateer-pirates. Early in 1665 the governors of the Foreign Plantations were authorized to grant letters of marque against the

⁷⁶ *Cal. St. P., A. and W. I.*, May 25, 1664, p. 210.

⁷⁷ *Ibid.*, June 26, 1664, p. 218.

⁷⁸ *Ibid.*, August 10, 1664, p. 224, and November (?), 1665, p. 327.

⁷⁹ *Ibid.*, June 15, 1664, p. 215.

⁸⁰ *Ibid.*, August 19-22, 1664, p. 228.

⁸¹ *Ibid.*, 1664 (?), p. 238.

Dutch.⁸² Modyford was delighted to be able to obey orders, conciliate the populace of Port Royal, and obtain his fee from commissions. He pardoned his fourteen pirates, condemned to be hanged, and sent them out to cruise against the Dutch.⁸³ He had or said he had evidence that both the French at Tortuga and the Dutch at Curaçao were issuing letters of marque to English privateers, and enthusiastically planned to bundle both nations out of the Indies.⁸⁴ The privateers accepted the bait that he had to offer, and in April, 1665, a fleet of ten sail and five hundred men, whom Modyford called "reformed privateers", set out from Port Royal under the deputy-governor, Colonel Morgan, with the intention of attacking the Dutch fleet trading at St. Kitts, capturing the three Dutch islands, St. Eustatius, Saba, and Curaçao, and, on the way home, stopping at Tortuga; whether they intended to take this last island away from the French or merely to recruit their number from the buccaneers there, is not clear.⁸⁵

The expedition, disorderly and mutinous from the start, proceeded first against St. Eustatius. Colonel Morgan, overcome by the heat, died while the landing was being made, but the privateers carried through the attack, and the Dutch governor surrendered the fort almost without attempting defense. Part of the fleet then crossed to the near-by island of Saba, which was taken with as little difficulty.⁸⁶ At this point the expedition, thoroughly demoralized by the death of Morgan, went to pieces; every man set about securing his share of the booty and thought no more about Curaçao. Modyford was disappointed but not discouraged. With the assistance of Captain Edward Mansvelt, a freebooter who had won reputation by piracies in the South Sea and a raid through the province of New Granada,⁸⁷ he assembled a new fleet of privateers to send against Curaçao.

This expedition did not leave Jamaica until the middle of January, and in the meantime the agitation for letters of marque against Spain began anew. Modyford wrote home: "The Spanish prizes have been inventoried and sold, but the privateers plunder them and hide the goods in holes and creeks, so that the present orders little avail the Spaniard, but much prejudice his Majesty and his Royal Highness in the tenths and fifteenths of prizes."⁸⁸ The Council of

⁸² *Ibid.*, January 9, 1665, p. 269.

⁸³ *Ibid.*, February 20, 1665, p. 280, and February (?), 1665, p. 281.

⁸⁴ *Ibid.*

⁸⁵ *Ibid.*, April 20, 1665, p. 292.

⁸⁶ *Ibid.*, August 23, 1665, p. 319; October 13, 1665, p. 324; November 16, 1665, p. 329.

⁸⁷ Esquemeling, vol. I., pt. I., p. 53.

⁸⁸ *Cal. St. P., A. and W. I.*, November 16, 1665, pp. 329-330.

Jamaica followed up this tactful argument with an array of reasons why the granting of commissions against Spain would benefit the island. It was stated that this privateering enriched Jamaica by replenishing it with coin, bullion, cocoa, logwood, hides, tallow, cochineal, etc., thereby encouraging trade; that it gave security to the island, negatively by affording employment to the buccaneers of Hispaniola and Tortuga, who otherwise might be used against them, and positively by maintaining "a high and military spirit among the inhabitants", and enabling them to intercept Spanish despatches and discover the machinations preparing against them; lastly, that it was the only way of forcing the Spaniards to give them their trade.

All ways of kindness producing nothing of good neighbourhood, for though all the old commissions have been called in, and no new ones granted, and many of their ships restored, yet they continue all acts of hostility, taking our ships and murdering our people, making them work at their fortifications and then sending them into Spain, and very lately they denied an English fleet bound for the Dutch colonies wood, water, or provisions.⁸⁹

The minutes of the council did not explain that the fleet so inhospitably received was Mansvelt's privateer navy, composed largely of buccaneers whose cruelty and rapacity the Spaniards had good reason to know.⁹⁰ It is hardly likely that the fleet should have been in need of wood, water, and provisions when it had just left Jamaica, where it had fitted, and where it might quite as easily have returned—barring stress of weather—as to have put in at a Cuban port. And their provisioning was rather roughly done, for they sacked and burned the town of Sancti Spiritus by virtue of Portuguese commissions which some of them held.⁹¹

In the summer of 1665 four towns on the Bay of Mexico had been pillaged by pirates who still cherished Lord Windsor's commission, having managed to avoid hearing of the recall by remaining out twenty-two months.⁹² As the English were held responsible for these attacks by the Spanish, and as they received all the odium, Modyford and the Jamaicans generally argued that they might as well receive the profit and security which they believed would attend the regular employment of the privateers by Jamaica.

All this Modyford urged in his letters to the Duke of Albemarle, to whom, as deputy of the lord high admiral, he had been referred for instructions in this matter. Albemarle's answer, which arrived

⁸⁹ *Cal. St. P., A. and W. I.*, February 22, 1666, pp. 358-359.

⁹⁰ *Ibid.*, March 8, 1666, p. 363; also March 1, 1666, pp. 359-361.

⁹¹ *Ibid.*

⁹² *Ibid.*

near the end of February, 1666, bade the governor use his discretion in regard to issuing commissions against Spain.⁹³ This order was no doubt the result of solicitude concerning the admiral's share in prizes; if the interests of the Royal African Company were taken into consideration—and it is hard to believe they were not in any matter brought before the Duke of York—Modyford's point of view that the Spanish governors would be frightened into conniving at the desired trade, must have prevailed. The equivocal way in which the right to issue the commissions was granted would place the responsibility for the acts of the privateers on Modyford, and would enable the government to slip out of possible entanglements with Spain. Modyford immediately communicated the glad intelligence to the buccaneers at Tortuga, and received in return a letter signed by their officers, "professing much zeal to his Majesty's service, and a firm resolution to attack Curaçao".⁹⁴

At Tortuga the French governor, Ogeron, could provide the buccaneers with Portuguese letters of marque, Portugal being still at war with Spain for her independence. But Modyford knew that Jamaica was a better market for prizes than Tortuga, and he hoped to bribe the buccaneers into attacking the Dutch, who were comparatively poor prey, by throwing in commissions against Spanish commerce, which was rich. The Dutch island of Tobago had been taken in January by two privateers from Jamaica with eighty men;⁹⁵ if Curaçao could be captured the Dutch would be expelled from the Indies as they had been from New Netherland. Modyford fully expected that Mansvelt's privateers would achieve this, but Lord Willoughby, governor of Barbados, was not so sanguine: "they are all masters", he wrote of the privateers, "and reckon what they take to be their own, and themselves free princes to dispose of as they please."⁹⁶

The Curaçao fleet commanded by Mansvelt numbered fifteen ships and five or six hundred men, according to Esquemeling, mostly

⁹³ This letter from Albemarle is not calendared, and we have only Modyford's acknowledgment of it (*Cal. St. P., A. and W. I.*, March 1, 1666, p. 361): "A letter has arrived from his brother James of June 1 (1665), inclosing one from his Grace, giving the Governor latitude to grant or not to grant commissions against the Spaniards." Again in a letter to Lord Arlington (August 21, 1666, p. 406), Modyford mentions this permission: ". . . the Lord General . . . upon serious consideration with his Majesty and the Lord Chancellor, by letter of June 1, 1665, gave Modyford latitude to grant or not commissions against the Spaniard, as he found it for the advantage of his Majesty's service and the good of this island."

⁹⁴ *Ibid.*, March 8, 1666, p. 363.

⁹⁵ *Ibid.*, January 29, 1666, p. 354.

⁹⁶ *Ibid.*

Walloons and French.⁹⁷ Captain Henry Morgan, who had just returned from the raid on the Mexico towns, was appointed vice-admiral by Mansvelt. Interest in the Dutch was feeble from the first and soon vanished entirely. The men on board the "admiral" declared that there was more profit and less hazard in attacking the Spanish, and the fleet melted away, some returning to Tortuga, while others with Mansvelt and Morgan proceeded to attack the island of Providence, which a Spanish garrison had held since its recapture from the English in 1641. Stragglers from the disrupted fleet brought the rumor to Modyford that the buccaneers intended to set up an independent government at Providence, and this is borne out by Esquemeling's narrative. The Spanish garrison was indisposed to fight and surrendered the forts to Mansvelt, who ordered all except one demolished, sacked the island, and deported the Spanish prisoners to Tierra Firma. Then his fleet cruised along Costa Rica, but was driven off by the appearance of a Spanish force under the governor of Panama, and returned to Jamaica to get reinforcements for Providence.

To Modyford Mansvelt offered fair excuses for not proceeding against Curaçao, and said he had attempted Providence because he was resolved never to see the governor's face again until he had achieved some service for the king.⁹⁸ Modyford wrote home for instructions, but in the meantime, feeling that it would be imprudent not to accept the conquest, "considering its good situation for favouring any design on the rich main", dispatched reinforcements to the small garrison Mansvelt had left in possession.⁹⁹

Mansvelt himself went on to Tortuga to obtain still other recruits for the new buccaneer stronghold, but he died or was captured on the way, and his intention, if such it was, to establish a piratical principality disappeared with him.¹⁰⁰ Modyford's garrison held Providence until August, 1666, when four Spanish vessels sent from Tierra Firma laid siege to the island and in three days forced its surrender.¹⁰¹

This was the fate of all conquests of the buccaneers. Early in

⁹⁷ Esquemeling's account of this expedition, vol. I., pt. I., pp. 32-34, agrees substantially with that of Modyford in his letters of June 8 and June 16, 1666, to Albemarle and Arlington. *Cal. St. P., A. and W. I.*, pp. 387-389.

⁹⁸ *Ibid.*, June 16, 1666, pp. 388-389.

⁹⁹ *Ibid.*

¹⁰⁰ Esquemeling, vol. I., pt. II., p. 34.

¹⁰¹ The translation of a Spanish narrative of the recovery of the island is included by Esquemeling, vol. I., pt. II., pp. 35 ff. The deposition of the English officer whom Modyford had put in charge of the garrison is in the *Cal. St. P., A. and W. I.*, August 19, 1666, p. 605.

1667 St. Eustatius and Saba were retaken by the Dutch with the aid of the French;¹⁰² Tobago, too, fell back into the hands of the Dutch at about the same time.¹⁰³ The buccaneers were raiders, not soldiers; after they had plundered a town they were eager to go on to the next or to return to Jamaica to dispose of the booty. To linger on the scene of their successes would be to await certain attack from the Spanish, whose forces, once mustered, were generally much stronger numerically and in equipment than the buccaneers. Jamaica had not men enough to spare adequate garrisons for the conquests made in her name, and so one after the other fell away.

France entered the war on the side of the Dutch in 1666, and a French fleet was sent to the West Indies to operate against the English colonies. Antigua and Montserrat were obliged to surrender; English St. Kitts was conquered by the French from the other side of the island, the only creditable feature of the defense, according to report, being the fighting of two hundred buccaneers from St. Eustatius.¹⁰⁴ In the following year, 1667, the French and Dutch recovered St. Eutatius and Saba, as before stated, and the Dutch fleet took British Guiana.

These successes of the enemy cowed the bellicose spirit of Jamaica. The island was put under martial law and Modyford organized no more aggressive expeditions, though he diplomatically wooed the French Protestant buccaneers of Tortuga to prey upon their own countrymen. He had availed himself of Albemarle's permission to issue letters of marque against Spain, and, news of this change of front having reached the pirates abroad in the Caribbean, many of them came in to obtain commissions, vowing obedience to the governor and loyalty to the king.¹⁰⁵ Although theoretically they were employed to defend the island from the Dutch and French, and were only incidentally to find recompense for themselves in Spanish prizes, they paid slight attention to the direction of the war, but devoted themselves to the old robbery of the old enemy. Port Royal, which had been threatened with stagnation, prospered once more on the wealth that the buccaneers brought in but were too ignorant and spendthrift to keep.

Despoiled Spanish merchants petitioned Charles II. for redress

¹⁰² *Ibid.*, February 2, 1667, p. 445.

¹⁰³ Lucas, II. 256.

¹⁰⁴ *Cal. St. P., A. and W. I.*, May 12, 1666, p. 382.

¹⁰⁵ *Ibid.*, March 8, 1666, p. 363, also August 21, 1666, p. 405

and in two cases order was given and insisted upon for restitution,¹⁰⁶ but in the case of a ship seized before the treaty of 1667, restitution was refused, the Council replying to the Spanish ambassador who had interested himself in the matter, that "the Spaniards have likewise taken severall Shippes from the English, in so much that the Violentes and Hostile Actions of the Spaniards upon his Majestys Subjects in those parts do Exceed those of the English upon the Spaniards."¹⁰⁷ If the Council had intended to put a stop to the business of privateering, it is difficult to see why orders to such effect were not sent to Modyford when he was directed to return the two prizes.

The admiralty, which had the greater interest in prizes, was always more complaisant than the King and Council, who must bear the brunt of protests from Spain. Modyford's relationship with Albemarle made him rely on the duke to "bring him off", as he said, in the event of the Council's insisting on a more scrupulous maintenance of treaty obligations to Spain. He was never thoroughly comfortable in his buccaneering policy, as his letters show, fearing lest Spanish influence or a change of attitude on the part of the Royal African Company should undermine his position. If definite instructions had been sent him, forbidding the employment of the privateers, it is probable that he would have checked their depredations, or at least withdrawn his encouragement, out of consideration for his own welfare; but such orders as came were regularly discounted by semi-official advice or condonement from Lord Arlington and the Duke of Albemarle. In regard to the taking of Providence, Modyford's action was virtually ratified by the appointment of his brother, Sir James Modyford, to be governor of the island.¹⁰⁸

One other incident goes to show that the attacks on Spain in the Indies were not regarded as reprehensible by Englishmen at home: When the Spanish ambassador endeavored to regain for its owner

¹⁰⁶ *Acts of the Privy Council, Colonial*, November 11, 1665, pp. 405-406. Both merchants obtained at least a measure of restitution. *Ibid.*, May 9, 1666, pp. 413-414, and April 23, 1669, pp. 514-515. While commanding Modyford to pay one of them 13,239 pieces of eight, the Council expressly stated that the claimant had no legal right to compensation, and that the order was in consequence of the "great and earnest instance and Mediation which hath been used by the Conde de Molina his Catholique Majestys Ambassador in this Court on the said Crespo's behalfe. . . . And nevertheless Wee are to Declare unto you that it is not his Majestys intention that this shall be drawn into consequence for any other Person whatsoever to pretend to the like favour."

¹⁰⁷ *Acts of the Privy Council*, December 18, 1668, p. 497.

¹⁰⁸ *Cal. St. P., A. and W. I.*, November 10, 1666, p. 424.

a ship and cargo condemned in the Jamaica Admiralty Court, the Privy Council referred the matter to an English court of admiralty, which, apparently without arguing the politics of the case, reported that no cause was shown why the present owners should be dispossessed.¹⁰⁹

In July, 1667, the Peace of Breda concluded the French and Dutch wars in which England had been engaged, restoring the *status quo ante* in the Indies. The hostilities of the privateers of Jamaica against the French and Dutch, which had been half-hearted all along, evaporated at once, but the situation as regarded Spain was more difficult. Two months before the Peace of Breda a commercial treaty was signed by Spain and England,¹¹⁰ by which, in respect to both the East and West Indies, the same rights were guaranteed to England that Spain had allowed the Dutch by the Treaty of Munster in 1648, namely, the possession of such countries, colonies, and places as England held at the date of the treaty, with rights of navigation and trade thither, but trade to Spanish colonies was prohibited still. The treaty contained the customary provision concerning the issuing of letters of marque: that a subject of one of the contracting states, wronged by subjects of the other, must first seek redress through the medium of the law; if justice were refused him there, his king might bring the matter before the deputies or commissioners of the king of the offending state; but if justice were still denied, or delayed six months after the demand was preferred, then and only then was the granting of letters of marque permissible. In spite of the indefiniteness of the clauses that concerned the Indies, this was the most generous commercial treaty that Spain had conceded and Englishmen rightly regarded it as extremely advantageous. What observance it would find beyond the Line remained to be seen.

Governor Modyford had been notified of the proposed treaty with Spain in 1666, but Albemarle had informed him then that he might continue to employ the privateers as formerly if it were for the benefit of the king's affairs¹¹¹—"which is really so", declared Modyford, "as the keeping of this island is for his honour and service". When a copy of the treaty finally reached him it gave him little light by which to guide his conduct, owing to the evasive reference to the Dutch treaty with which he was not acquainted, therefore he did not recall his privateers but asked for more explicit orders.¹¹²

¹⁰⁹ *Ibid.*, August 8, 1668, p. 602.

¹¹⁰ Dumont, vol. VII., pt. I., p. 29.

¹¹¹ *Cal. St. P., A. and W. I.*, August 21, 1666, p. 407.

¹¹² *Ibid.*, December 28, 1667, p. 528.

He was enjoying at this time a lucrative monopoly in prizes. In lieu of the governorship of Providence, Sir James Modyford had been appointed by his brother deputy-governor of Jamaica in the room of Colonel Edward Morgan who had died at St. Eustatius, and also chief judge of the Court of Admiralty.¹¹³ The governor issued commissions and bought in prizes which Sir James had condemned, and then the goods were shipped to England to the governor's son, Charles Modyford, who could dispose of them more advantageously than was possible in Jamaica.¹¹⁴

Although the explicit orders that Modyford requested were not sent, the Privy Council showed a disposition to force some degree of discipline on the unruly British subjects overseas by sending to Jamaica early in 1668 the *Oxford* frigate, "for the defense of the island, for the suppression of Privateers, and for the advance of trade and commerce", the governor to defray the cost of fitting and maintaining her.¹¹⁵ As Modyford had urged the desirability of having a frigate at his command to keep the privateers under control, the sending of the *Oxford* seemed to point toward the conclusion of the irregular warfare that had so long terrorized the Spanish in the West Indies.

Before the frigate reached Jamaica there occurred the most serious infraction of the peace with Spain for which Modyford had yet been responsible, the most serious, indeed, since the days of Drake—the sack of Porto Bello by a buccaneer fleet under Henry Morgan.

Morgan was the son of a Welsh farmer. As a boy he had run away to Bristol and there indentured himself in return for transportation to Barbados. After the expiration of his term of servitude, he went to Jamaica and drifted into privateering. His good fortune was such that in a short time he became captain and part owner of his vessel, and acquired a reputation among his fellows for daring and success. When Mansvelt was assembling the fleet intended for Curaçao, Morgan had just returned from a plundering expedition along the Mexican coast, and at Mansvelt's invitation joined the fleet as vice-admiral, taking part later in the seizure of Providence.¹¹⁶

¹¹³ *Cal. St. P., A. and W. I.*, February 20, 1668, p. 550, also, 1668 (?), p. 546.

¹¹⁴ Charles Modyford's interest in prizes is shown by a petition of Chas. Modyford and other proprietors of the ship *Crescent*, to the King. *Ibid.*, 1668 (?), p. 545.

¹¹⁵ *Ibid.*, March 12, 1668, p. 553. In the *Catalogue of Pepysian Manuscripts* (Navy Rec. Soc.), I. 260, the *Oxford* is described as a fifth-rate frigate of 240 tons, carrying 95 men and 22 guns.

¹¹⁶ Esquemeling, vol. I, pt. I, p. 32. This account given by Esquemeling seems to be the only evidence extant concerning Morgan's early life. From his letters and reports in the *State Papers* it is apparent that he had received some education.

In 1668 Morgan received a commission from Governor Modyford "to draw together the English privateers and take prisoners of the Spanish nation", the pretext being the ever-current rumors of an intended invasion of Jamaica by the Spaniards. According to Morgan's own report of his adventure,¹¹⁷ drawn up afterwards at Modyford's request, he and his fleet of ten sail and five hundred men were driven by storms upon the south keys of Cuba, and, being near starvation, landed to buy provisions. Meeting some French in like case, the English privateers joined them in a march across the island after the frightened inhabitants, who seem to have expected the descent. Reaching the north coast, the buccaneers attacked Puerto Principe, and, after an unusually spirited defense by the Spanish, took the town. Morgan's account emphasizes the preparations he found in progress there for the conquest of Jamaica, and merely mentions that on the Spaniards' entreaty they forbore to fire the town or bring away prisoners, but on delivery of one thousand beeves released all. Esquemeling, however, describes the way in which the captives were tormented to force them to reveal the whereabouts of the wealth of the town, and places the value of the booty at fifty thousand pieces of eight, which, he adds, was too small a sum to pay the buccaneers' debts at Jamaica, and therefore they were forced to attempt Porto Bello.¹¹⁸

Porto Bello was, next to Panama and Carthagena, the most important town in Spanish America, being the great market where European goods brought over by the fleet were exchanged for the products of the colonies. For the fortnight of the fair it was a great city, but during the rest of the year it was almost deserted, the climate making it not a desirable place of residence. In size it was nothing more than a village;¹¹⁹ however, the warehouses where the colonial officials and merchants stored their goods made the town rich prize at any time, and its seizure would be an insult that Spain could not overlook as she had the impertinences of the privateers at sea.

The French buccaneers refused to be party to the new enterprise, so the fleet that sailed for the isthmus was entirely English. Landing under cover of darkness they surprised the town at three o'clock

¹¹⁷ *Cal. St. P., A. and W. I.*, September 7, 1668, p. 610. Information of Admiral Henry Morgan, and his officers, of their late expedition on the Spanish coast, with reasons of their late attempt on Porto Principe and Porto Bello.

¹¹⁸ Esquemeling, vol. I., pt. II., pp. 44-46.

¹¹⁹ Esquemeling says that the town contained four hundred families, and that the three forts were garrisoned with three hundred men (vol. I., pt. II., p. 48); Morgan estimates the number of fighting men in the town at nine hundred (*Cal. St. P., A. and W. I.*, September 7, 1668, p. 611).

in the morning of June 26, 1668, and, as Morgan explains, "seeing that they could not refresh themselves in quiet", they stormed and took two of the castles that guarded the entrance to the port, and the third surrendered. This left the town at the mercy of the buccaneers, and they remained in it, plundering and carousing, until early in August. The president of Panama sent a force against them, but the buccaneers were not too demoralized to beat back the Spaniards, and wrung from the wretched citizens the full ransom of one hundred thousand pieces of eight, which they demanded for the town and prisoners before setting sail.¹²⁰ Then, according to Esquemeling, occurred an incident that calls to mind some of the adventures of Francis Drake:

The President of Panama, by these transactions, was brought into an extream admiration, considering that four hundred men had been able to take such a great City, with so many strong Castles. . . . This astonishment was so great, that it occasion'd him, for to be satisfied herein, to send a Messenger unto Captain Morgan, desiring him to send him some small pattern of those Arms wherewith he had taken with such violence so great a City. Captain Morgan received this Messenger very kindly, and treated him with great civility. Which being done, he gave him a Pistol and a few small Bullets of lead, to carry back unto the President his Master, telling him withal, He desired him to accept that slender pattern of the Arms wherewith he had taken Puerto Velo, and keep them for a twelvemonth; after which time, he promised to come to Panama and fetch them away. The Governour of Panama returned the Present very soon unto Captain Morgan, giving him thanks for the favour of lending him such Weapons as he needed not, and withal sent him a Ring of Gold, with this Message, That he desired him not to give himself the labour of coming to Panama, as he had done to Puerto Velo; for he did certifie unto him, he should not speed so well as he had done there.¹²¹

In coin alone the spoil is said to have amounted to two hundred thousand pieces of eight, which was divided among the freebooters and squandered promptly on the fleet's return to Jamaica about the middle of August, 1668.¹²²

Modyford was considerably alarmed at this too conspicuously successful escapade of his protégés, and in an apologetic letter to Albemarle endeavored to clear himself of blame by painting as darkly as possible the intentions of the Spanish toward Jamaica, adding that he had "reproved" the privateers for attempting towns when their commissions licensed attacks on ships only.¹²³

¹²⁰ Esquemeling, vol. I., pt. II., pp. 52-53, and Morgan's narrative in the *State Papers*.

¹²¹ Esquemeling, vol. I., pt. II., pp. 53-54.

¹²² *Ibid.*, p. 54, and Morgan's narrative.

¹²³ *Cal. St. P., A. and W. I.*, October 1, 1668, pp. 615-616.

Instead of making an effort to check the insubordination of the privateers by means of the frigate sent over for the purpose, Modyford felt that his salvation lay in provoking Spain to the hostilities which he said, and probably believed, were threatening, and to meet which he now set on foot a new succession of warlike enterprises. Morgan assembled a privateer fleet of ten sail and eight hundred men at his rendezvous off the little Isle de Vache, south of Hispaniola, and planned a raid on the Main. Another buccaneer captain, Dempster, with three hundred men, sailed against Havana and the towns in the Bay of Campeachy, while the *Oxford*, by a curious perversion of her mission, was first destined to attack Carthagena, under Collier, one of the heroes of Porto Bello, but the plan was not carried through, the *Oxford* joining Morgan's fleet. Modyford also sent an offer of assistance to the Indians of the Main, who had mutinied against Spanish oppression.¹²⁴

Dempster's undertaking came to nothing and we hear no more of it. At the Isle de Vache misfortune befell Morgan's fleet on the eve of its departure in January, 1669. While the captains were holding a council on board the *Oxford*, the vessel was blown up, causing great loss of life.¹²⁵ The loss of the "admiral" of the fleet dashed the enthusiasm of the superstitious privateers, and it was with but five hundred men, French and English, that Morgan started for the Main in March, 1669. Entering the shut-in bay called the Sea of Maracaibo, the buccaneers approached the town of Maracaibo. They found it deserted, for the inhabitants, having got wind of the fleet's intention, had fled to Gibraltar with as much of their property as they could carry. Thither the buccaneers followed them, only to find that town deserted also. They spent five weeks plundering, beating the woods for the refugees, and haggling with their prisoners for the ransom of the towns. When finally they set sail, they were forced to dispute the passage from the Sea of Maracaibo to the Caribbean with three Spanish men-of-war sent over from Spain to put an end to the piracies of the English. Two of these were sunk by means of fire-ships, and the third was captured and became Morgan's flag-ship in place of the unlucky *Oxford*. The booty amounted to about the value of that taken at Porto Bello, but the number of participants being greater, the share per man was less.¹²⁶

¹²⁴ Modyford reported all these plans to Arlington's secretary, Joseph Williamson. *Ibid.*, October 31, 1668, p. 621.

¹²⁵ *Ibid.*, in Supplementary Addenda to the volume for 1675-1676, pp. 518-519.

¹²⁶ The above is Esquemeling's account of the Maracaibo expedition (vol. I., pt. II., pp. 55 ff.). The destruction of the Spanish vessels which belonged to the Windward Fleet is described by Veitia Linage, p. 205.

Even without this last action Modyford was having difficulty in reconciling the government at home to his enterprises, and that government was having increasing difficulty in evading the reproaches of the Spanish ambassador. In August, 1668, the ambassador had protested against the insolence of the English privateers, but was put off without satisfaction by Arlington.¹²⁷ The news of the taking of Porto Bello had evoked more insistent demands for redress and for stricter faith in the keeping of the peace.

The situation was a rather delicate one for the ministers of Charles II. Lord Arlington examined the treaty of 1667 for a loop-hole of escape, but had to admit that "as to the Peace with Spain in the Indies, the article of the Treaty that stipulates it seems to be as large and comprehensive as those of any other Treaties by virtue of which his Majesty has now peace with any of his neighbours".¹²⁸ The answer finally returned to the complaints of Spain refused to discuss specific offenses or promise restitution, but covered the whole issue with the statement that the king's subjects did not enjoy peace in the Indies.¹²⁹

Yet although the government was unwilling to disavow Modyford's action officially, he seems not to have got off scot-free from censure. Albemarle was ill at the time and unable to defend his kinsman, so Modyford, irritated and frightened, made shift to defend himself. He sent home a long narrative of his relations with the privateers, enumerating all his reasons for encouraging them and the grievances that the Jamaicans cherished against Spain. He stated that he had given the privateers commissions for taking ships only, not for landing, and that he always "reproved" them for so acting, especially in the business of Porto Bello and Maracaibo, but because of their numbers and his lack of definite orders, he thought it wise not to punish them. He denied that he had received any considerable sum from the privateers, declaring that the admiral's tenths were always sent home, while the king's fifteenths were expended on the fortifications of Port Royal.¹³⁰

The most remarkable feature of Modyford's defense was a letter which he wrote to the Spanish ambassador, on the theory, evidently, that the matter might be settled out of court, as it were. His contention was that in view of the distaste for war shown by Spaniards in the Indies, the ambassador should thank him, Modyford, for calling his attention to the usefulness of the privateers; if the

¹²⁷ *Cal. St. P., A. and W. I.*, January 7/17, 1669, pp. 1-2.

¹²⁸ *Ibid.*, 1668, p. 641.

¹²⁹ *Ibid.*, January 26/February 5, 1670, p. 54.

¹³⁰ *Ibid.*, August 23, 1669, pp. 38-40.

English did not employ them, the French would, and that would be still worse for Spain.¹³¹

Although in this letter Modyford professed great confidence in the goodness and wisdom of his sovereign, he was sufficiently alarmed to show a hitherto unexercised vigor in reducing the privateers to obedience. At the end of 1669 he was able to report that most of the privateers had turned merchants trading with the Indians for tallow, turtle-shell, and logwood; others hunted on Cuba for hog and beef.¹³² Both of these industries were carried on regardless of Spanish prohibitions, but they were lesser offenses than privateering. Some became planters in Jamaica, and the rest persisted in seeking Spanish prizes and smuggled them in—not a difficult thing to do, probably, with all the tradesmen of Jamaica willing to connive at the irregularity. Just at this time the French governor of Tortuga was forbidden to grant letters of marque, “which in this juncture fell out very happy for us”, Modyford admitted.¹³³ For the moment it looked as if the buccaneers had run their tether, but unfortunately Spain had chosen the very time of their subsiding to attempt retaliation.

The Queen Regent of Spain, unable to obtain satisfaction from Charles II. in the matter of the privateers, in April, 1669, probably after the news of the sack of Maracaibo and Gibraltar had reached her, ordered her governors in the Indies to proclaim war on the English in those parts, and to dispossess them of their “ships, islands, places, and ports”, to which end the governors were allowed to issue letters of reprisal.¹³⁴ This new local war did not actually begin until March, 1670, when two Spanish privateers fell upon some ships from Jamaica attempting to trade with the Spanish colonies.¹³⁵ Modyford was all warlike ardor immediately, but his patron, Albemarle, had died early in 1670, and he had need to be careful where he stepped. He reported the aggressions of the Spaniards to Arlington and begged permission to retaliate.¹³⁶

The Secretary of State was particularly anxious to avoid antagonizing Spain further, since Sir William Godolphin was at this time in Madrid endeavoring to secure a treaty which should make a peace beyond the Line possible, and should acknowledge explicitly England's possessions and rights in the Indies. Arlington explained this to Modyford and instructed him to keep the privateers

¹³¹ *Ibid.*, June 15, 1669, pp. 27–28.

¹³² *Ibid.*, November 30, 1669, p. 46.

¹³³ *Ibid.*

¹³⁴ *Ibid.*, January 26/February 5, 1670, p. 54.

¹³⁵ *Ibid.*, March 18, 1670, pp. 58–59.

¹³⁶ *Ibid.*, May 5, 1670, p. 65.

in whatever state his letter should find them, obliging them, in any case, to abstain from hostilities on land.¹³⁷

His letter found them in a very belligerent state indeed, for two occurrences had led Modyford to abandon discretion and commit himself to war without waiting for instructions. The first was an attack on the north coast of Jamaica by a Spanish captain named Rivera, who had gone a-buccaneering with zest, and now left behind him, nailed to a tree, a bombastic challenge to Henry Morgan to come and fight him.¹³⁸ The second was the act of the Dutch governor of Curaçao, who, having in some way obtained an original commission of reprisal granted by the governor of St. Jago de Cuba in accordance with the orders of the Queen of Spain, sent it to Modyford,¹³⁹ thinking, no doubt, that to keep alive the old enmity between Englishman and Spaniard was the best way of securing to the Dutch uninterrupted enjoyment of the Spanish trade in the Indies.

The people of Jamaica were panic-stricken, believing that mighty preparations were in train for their destruction. A night-watch was established at Port Royal, the militia was regulated, and the inhabitants were ordered to keep in their houses a specified quantity of arms and ammunition. At the order of the council, Modyford appointed Henry Morgan commander-in-chief of all the ships fitted or to be fitted for the defense of Jamaica, instructing him to capture or destroy all Spanish vessels that he might meet, and, in case he found it feasible, to land and attack St. Jago or any other place where troops or stores were being collected to send against Jamaica.¹⁴⁰

Morgan, now enjoying the dignity of admiral, at once set about assembling a fleet of privateers that should accomplish the designs suggested in his instructions. Arlington's order to maintain the privateers *in statu quo* arrived before any hostile move had been made from Jamaica, and Modyford communicated them to the admiral, "strictly charging him to observe the same, and behave with all moderation possible in carrying on this war".¹⁴¹ Morgan replied that he would obey as far as possible, but that necessity would compel him to land in the Spaniards' country for wood, water or food; however, unless he were assured that the enemy were mustering troops or collecting stores for the rumored descent on Jamaica, he would not attack their towns. Then he departed for his old rendezvous at the Isle de Vache.¹⁴²

¹³⁷ *Cal. St. P., A. and W. I.*, June 12, 1670, pp. 68-69.

¹³⁸ *Ibid.*, June 28, 1670, p. 72, and October 31, 1670, p. 122.

¹³⁹ *Ibid.*, June 29, 1670, p. 72.

¹⁴⁰ *Ibid.*, July 2, 1670, pp. 73-74.

¹⁴¹ *Ibid.*, August 20, 1670, p. 82.

¹⁴² *Ibid.*

The hostilities—or the war, as both parties estimated it—were entirely insignificant on the Spanish side, being confined to the efforts of a few privateers, although a Spanish captive told Morgan in October of that year that he had seen the people of Carthagena “listed and all in arms offensive against the English”.¹⁴³ But Morgan was naturally desirous of magnifying the *casus belli* in order that he might have an excuse for any aggressions that he might see fit to commit, and doubtless found means of forcing this sort of deposition from his prisoners.¹⁴⁴

On the part of Jamaica, however, a great deal of activity was shown. The captain who had so valorously challenged Morgan to do battle was killed in an engagement with a Jamaica privateer, and his ship made prize.¹⁴⁵ Three privateers went up the Nicaragua River and took and pillaged the town of Granada.¹⁴⁶ In September Morgan dispatched his vice-admiral, Collier, with six sail to the Main to reconnoitre. As the best way of obtaining information of the enemy’s movements, he took the town of Rio de la Hacha, remained in possession of it a month, and returned to Morgan with provisions for the fleet and with prisoners who deposed that in Carthagena, Porto Bello, and Panama soldiers were being enlisted for the conquest of Jamaica.¹⁴⁷

Morgan did not leave the Isle de Vache until December, 1670, when he had assembled a fleet of about fifteen hundred men. The captains, in council of war, unanimously decided “that it stands most for the good of Jamaica and safety of us all to take Panama, the President thereof having granted several commissions against the English”.¹⁴⁸ The first objective point was the island of Providence which Mansvelt and his buccaneers had captured in 1665. It was garrisoned at this time by three hundred Spaniards, who sur-

¹⁴³ *Ibid.*, April 20, 1671, p. 202.

¹⁴⁴ “Spanish gold and silver is the only cause of the quarrel; and they can easily make a ground for the contest, for the first design is the getting of prisoners, whom they force, some by torments, to say that either at Carthagena, Porto Bello, or other maritime place, they are mustering a fleet to invade Jamaica; and those who will not subscribe what they know not are cut in pieces, shot, or hanged.” *Ibid.*, August 21, 1671, p. 253, Richard Browne, surgeon on the Panama expedition, to Williamson.

¹⁴⁵ *Ibid.*, October 31, 1670, p. 120.

¹⁴⁶ *Ibid.*

¹⁴⁷ *Ibid.*, April 20, 1671, p. 202.

¹⁴⁸ *Ibid.*, Morgan’s account. There are three other accounts of the Panama expedition by participants; two of these are in *Cal. St. P., A. and W. I.*, April 4, 1671, p. 190, Copy of the Relation of Wm. Fogg, and August 21, 1671, p. 252, by the surgeon, Richard Browne. The third is in Esquemeling, vol. I., pt. III., pp. 18 ff. All four agree substantially as to the main facts, though Browne is very acrimonious toward Morgan.

rendered the day after the siege began. From here Morgan sent forward a detachment of four or five hundred men under one of his captains to take Chagre Castle, which guarded the way across the isthmus to Panama. They were successful in this, though with the loss of one hundred and fifty men. A week later the admiral joined them, and leaving two hundred men to guard the larger boats, started with twelve hundred buccaneers up the Chagre River. Five leagues they covered by water, and then marched another five to Panama.

Outside the city the attacking party was met by a Spanish force of about twenty-five hundred men, who fired one volley and fled before the charge of the buccaneers. The city, however, had been set on fire by the Spanish, and only the churches and a hundred or so houses in the suburbs remained standing when the English took possession. The spoils were a disappointment, amounting to but thirty thousand pounds. According to Morgan's account, the great wealth of the town had been removed several weeks before, when the inhabitants had warning of the expedition. This explanation, however, was not acceptable to some of his men, who suspected the admiral of having withheld for himself the most valuable portion of the spoils.¹⁴⁹

The return of the fleet was disastrous; provisions gave out and many vessels were cast away in the heavy storms that met them. One report states that four-fifths of the men that left Jamaica on the expedition were lost.¹⁵⁰ Nevertheless, the Council of Jamaica passed a vote of thanks to Morgan and approved his action throughout.¹⁵¹

This was the last ambitious exploit of the buccaneers of Jamaica, for a little later Modyford's régime came to an end. Sir William Godolphin had succeeded in negotiating with Spain the Treaty of Madrid, signed July 18, 1670, the month after Modyford began his war. The treaty promised peace and amity between the subjects of the two kings in America and the West Indies, called for the revocation of all letters of marque and reprisal, and the cessation of hostilities. Spain acknowledged England's possession of those parts of the New World of which she was in occupation

¹⁴⁹ "They loaded the mules . . . with plate and other good plunder to the value of above 70,000 *l.*, besides other rich goods, and cheated the soldiers of a very vast sum, each man having but 10 *l.* a share, and the whole number not being above 1,800. At Chaugrave they gave what they pleased, for which . . . we must be content or else clapped in irons." *Cal. St. P., A. and W. I.*, August 21, 1671, p. 252, Richard Browne to Williamson.

¹⁵⁰ *Ibid.*, July 7, 1671, p. 241.

¹⁵¹ *Ibid.*, May 31, 1671, p. 220.

at the time of the treaty, though no places or boundaries were named. Finally each party agreed to abstain from any attempt to trade in the territories of the other in America.¹⁵²

It is probable that Spain made the recall and punishment of Modyford a condition to her acceptance of the treaty. Rumors that a change of governors might be expected had reached Jamaica by the middle of 1670,¹⁵³ and Modyford's letters show that he himself was aware of them in October of that year.¹⁵⁴ Even before the taking of Panama the commission of Sir Thomas Lynch to be governor of Jamaica had been drafted,¹⁵⁵ and he arrived in Port Royal at the end of 1671. In accordance with his instructions he sent Modyford a prisoner to England to answer for exceeding his powers and disregarding orders in the matter of the privateers.¹⁵⁶ He was committed to the Tower where, apparently through Arlington's influence and in spite of the efforts of the second Duke of Albemarle to obtain his release, he remained until 1674,¹⁵⁷ returning to Jamaica the following year. He may be regarded as the scapegoat of Lord Arlington, who, as Secretary of State, had tacitly allowed him to experiment with the privateers until their uselessness for any real gain was evident, and then had handed him over to the punishment demanded by Spain.

Henry Morgan was also dispatched to England to defend his raids on the Spanish towns,¹⁵⁸ but his commission from Modyford proved sufficient justification for everything that he had done. He was handsomely lionized in London as the hero on whom Drake's mantle had fallen and amused his entertainers with stories of Spanish treasure and English adventure.¹⁵⁹ At court he caught momentarily the fancy of the king who made a knight of him.¹⁶⁰ In 1675 he returned to Jamaica as lieutenant-governor of the island and commander-in-chief of its forces,¹⁶¹ and until the end of his life figured turbulently in local politics.

In Jamaica Lynch in his turn dealt with the problem of suppressing the privateers. For the moment he seemed on the verge of success. The terrible loss of life at Panama, the unprofitable-

¹⁵² Dumont, vol. VII., pt. I., pp. 137-139.

¹⁵³ *Cal. St. P., A. and W. I.*, August 7, 1670, p. 78.

¹⁵⁴ *Ibid.*, October 31, 1670, p. 121.

¹⁵⁵ *Ibid.*, September 23, 1670, p. 105.

¹⁵⁶ *Ibid.*, January (?), 1671, pp. 159-160.

¹⁵⁷ *Letters to Sir Joseph Williamson* (Camden Soc. Pub.), I. 122; also, *Hatton Correspondence*, II., June 24, 1673.

¹⁵⁸ *Cal. St. P., A. and W. I.*, December 17, 1671, p. 299.

¹⁵⁹ *Diary and Correspondence of John Evelyn* (London, 1857), II. 93.

¹⁶⁰ *Cal. St. P., A. and W. I.*, November 20, 1674, p. 623.

¹⁶¹ *Ibid.*, November 6, 1674, p. 617.

ness of the expedition, the recall and imprisonment of Modyford and Morgan, who had conducted the miserable little war—all discredited privateering, and a humbled Jamaica welcomed the new peace. The island had been sadly distracted from the orderly and prosperous life of the other English plantations. Sober, industrious people were afraid to settle in a place where property was insecure from the constant danger of invasion. Laborers, artisans, merchants, and planters were tempted away to cruise for a livelihood instead of working for it, hence planting languished and provisions were dear. Some few enriched themselves through speculation in privateers' booty and then departed to spend their wealth elsewhere. The one considerable town, Port Royal, was a place of dram-shops, ill-kept lodgings, and shoddy stores where drunkenness and immorality were encouraged that seamen might the more easily be parted from their money.

Lynch applied himself to his task with great energy and honesty of intention. He dispatched the two frigates placed at his service here and there among the islands to the haunts of the privateers to wheedle and threaten them into port. He notified the Spanish governors in the Indies of the recent treaty, and returned to them as many as he could collect of the negro slaves taken by Morgan's buccaneers, receiving in reply "many compliments of Panama".¹⁶² He wrote, too, to the French governor at Tortuga, requesting him to refuse reception there to all English privateers.¹⁶³ At the time, however, there was no governor of recognized authority in Tortuga, the buccaneers being in rebellion against the French West India Company which had shown a disposition to prevent their trading except with the company's ships.¹⁶⁴ Such professional pirates as were frightened away from Jamaica were welcome reinforcements to the mutineers. More than Lynch at first realized took refuge there and assisted in forcing the company to compromise. When Louis XIV. took up once more in 1672 his designs upon the Netherlands, they found easy cover under French letters of marque for the old piracy. The scum of the Indies drifted away from Jamaica to Hispaniola and Tortuga where aliens of any nation or reputation were received with obliging catholicity. The pirate ship *La Trompeuse*, which enjoyed a brief but exciting career in the rôle of French man-of-war in 1684, had a crew which included—besides Frenchmen—Scotch, Dutch, English, Spanish, Portuguese, Swedes, Irish, New Englanders, negroes, and Indians.¹⁶⁵ Lynch complained

¹⁶² *Cal. St. P., A. and W. I.*, August 20, 1671, p. 247.

¹⁶³ *Ibid.*

¹⁶⁴ *Ibid.*

¹⁶⁵ *Ibid.*, September 12, 1684, p. 86.

that "the French Governor . . . never refuses commissions, whether before or after capture of a prize, provided he receives some present, as, for instance, a tenth share."¹⁶⁶ Protests from the English ambassador at Paris against this encouragement of piracy evoked only polite denial of the whole condition of affairs.¹⁶⁷ The Indies were as far away from peace as ever.

Such privateers as came in to Port Royal on hearing of the recall and surrendered to Lynch, being pardoned, sailed off to Yucatan in quest of logwood, an illicit trade which was to be the spring of fresh violence and robbery in those seas with Spain as aggressor and English merchantmen as prey, and no reprisal allowed. The Royal African Company had now abandoned the old policy of force and was trying to insinuate itself peaceably into the Spanish slave-trade; it was, therefore, unwilling that Spanish confidence should be shaken again by the enterprise of English privateers, whatever the sufferings of English traders.¹⁶⁸ Between French and Spanish pirates, the commerce of the British West Indies paid dearly for the escapades of Henry Morgan and others of his kind. England, to her surprise, was not the sole arbiter of peace beyond the Line. "There are many pirates about our seas", reports a Jamaican in 1699, "and the French make us no restitution nor the Spaniards spare anything they can master, so that we are in an ill case with our hands bound and must stand still to be buffeted."¹⁶⁹

But although the licensing of privateers by English governors in time of peace ended with Modyford's administration, enough English pirates escaped the vigilance of Lynch's frigates to sustain old traditions not unsuccessfully. "This cursed trade has been so long followed, and there is so many of it, that like weeds or Hidras they spring up as fast as we can cut them down", wrote Lynch in discouragement.¹⁷⁰ The pirates were more wary than in Modyford's time, contenting themselves with what they could make prize of at sea and working independently of each other instead of in fleets.

¹⁶⁶ *Ibid.*, September 29, 1682, pp. 301-302.

¹⁶⁷ *Ibid.*, February 14, 1683, p. 383, and same date, p. 385.

¹⁶⁸ Sir William Godolphin, ambassador to Spain, after trying vainly to obtain redress for a long list of English merchants whose ships had been seized by the Spanish in the Indies, on the pretense of their having logwood aboard, wrote: "They [the Spanish] fancy Parliament will not suffer the King to do them any harm, and that without the Spanish trade England would be all in disorder, and this makes them bold." *Ibid.*, August 7/17, 1675, p. 268. In 1684 one finds the governor of Jamaica pleading with the governor of Trinidad, thus: "If we suffer your ships to trade we protect them afterwards, and if not we give them fair notice to be gone. You permit the sloops to trade for a little to be the more sure of seizing them." *Ibid.*, September 17/27, 1684, p. 689.

¹⁶⁹ *Ibid.*, February 8, 1699, p. 55.

¹⁷⁰ *Ibid.*, January 13, 1672, p. 316.

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The governor of the Danish Island of St. Thomas did not scruple to encourage such as brought their prizes to him.¹⁷¹ But the Caribbean no longer sufficed them. Buccaneers such as Dampier, Sharpe, Cook, and Wafer, who have left accounts of their exploits, transferred their attention to the commerce of the South Sea, and did not fare badly. Others found a headquarters at New Providence in the Bahamas, and by combining smuggling with piracy were soon in alliance with the colonies along the Atlantic seaboard.¹⁷² In 1724 England was still trying to quell these pirates by administering semi-occasional chastisement with a man-of-war.¹⁷³

So widespread was the evil, so irresponsible the international conscience—if such a thing may be supposed to exist—that the best efforts of such honest officials as Lynch counted for nothing. Piracy ruled in the West Indies until, in the latter part of the eighteenth century, the imperative demand for security in trade brought about gradually a systematic and adequate policing of the seas.

VIOLET BARBOUR.

¹⁷¹ *Cal. St. P., A. and W. I.*, June 24, 1684, p. 657.

¹⁷² "All the news of America is, the swarming of pirates not only on these coasts, but all the West Indies over, which doth ruin trade ten times worse than a war." *Ibid.*, June 5, 1700, p. 301. Colonel Quarry (from Virginia) to the Council of Trade and Plantations.

¹⁷³ *Hist. MSS. Com., MSS. of Lady Du Cane* p. 20.

DOCUMENTS

American Commercial Conditions, and Negotiations with Austria, 1783-1786¹

HERR HANNES SCHLITTER, vice-director of the Staatsarchiv at Vienna, published some time ago two works^{1a} concerning the relations between the Empire and the United States which contain interesting information particularly upon the negotiations between the government of the Emperor Joseph II. and that of the American republic on the subject of concluding a treaty of commerce. Conferences² took place between the Comte de Mercy-Argenteau, ambassador of Joseph II. at the court of Louis XVI., and the American ministers, Franklin and Jefferson, and a treaty of commerce was in its principal points decided upon. Serious events, however, put a stop to the negotiations; these were, on the part of Austria, the revolt of the Austrian Netherlands, and, on the part of America, the change of the Constitution in 1787. Neither the exact terms of the Emperor's decision nor the precise propositions of the American government concerning the treaty to be concluded are even now known;³ yet it has been my good fortune to discover in the Staatsarchiv at Vienna the proposal of Kaunitz, the chancellor of the Empire, accompanied by the Emperor's decision in his own writing. Moreover I have found in the Archives Générales in Brussels the project of a treaty submitted by the American government to the government of Joseph II.⁴ Of the two the proposal of Kaunitz appears to me the more interesting because it reveals the shiftings of the negotiations and also because it presents a general view of the policy of the United States in regard to treaties of commerce. This document is printed in the series following as number XI.

¹ These documents, with their introduction and notes, have been kindly furnished by Professor Hubert Van Houtte of the University of Ghent; Professor Edmund C. Burnett of the Carnegie Institution of Washington has added a general statement concerning the contemporary negotiations of the United States with respect to commercial treaties.

^{1a} *Die Beziehungen Oesterreichs zu den Vereinigten Staaten von Amerika* (Innsbruck, 1885) and *Die Berichte des Ersten Agenten Oesterreichs in den Vereinigten Staaten von Amerika, Baron de Beelen-Bertholff, an die Regierung der Oesterreichischen Niederlande in Brüssel, 1784-1789* (in *Fontes Rerum Austriacarum*, Abth. II., Bd. XLV., Vienna, 1891).

² Cf. Schlitter, *Die Beziehung Oesterreichs zu den Vereinigten Staaten von Amerika*, pp. 73, 76, 112-118.

³ Cf. *ibid.*, p. 116, n. 3.

⁴ See *post*, pp. 576-579, 587.

I have included some other documents, not hitherto published, which I have found in the Archives Générales in Brussels. They relate to American manners in the years 1783-1786, as observed by an intelligent and well-informed European. Herr Schlitter's work, *Die Berichte des Ersten Agenten Oesterreichs in den Vereinigten Staaten von Amerika*, itself contains a mass of information of this sort; nevertheless the observations which we publish are not among the least interesting. In several instances the reader is referred to Herr Schlitter's volume for comparison. These elucidations of American manners, as well as the documents which concern European emigration to the United States, are drawn from relations of Baron de Beelen-Bertholff which had escaped the investigation of Herr Schlitter because they repose in Brussels, whereas the principal mass of these relations is to be found in Vienna. The sources of the several documents are indicated in the foot-notes.

HUBERT VAN HOUTTE.

I. THE EMIGRATION OF EUROPEANS TO AMERICA, 1783.⁵

Le point de l'émigration à présent devient plus dangereux pour l'Europe. L'Amérique tâchera de toutes les manières possibles d'avoir du monde de tous les pays de l'Europe. C'est aux pays de l'Europe d'avoir l'œil bien ouvert, pour empêcher cela, surtout parceque l'on tâchera de [se] procurer toute sorte de gens de métier.

Il suffit à l'Europe que les plus mauvais sujets que chaque pays bannit, pour des mauvaises actions, y aillent. Et cela est suffisant pour faire beaucoup de dommage à l'Europe avec le temps, comme il en est arrivé à la Grande-Bretagne en condamnant ses criminels à être transportés en Amérique. Plus ou moins chaque criminel est habile à quelque chose. Et en examinant les faits de la révolte, on voit plusieurs descendants des personnes condamnées à y aller et d'autres encore vivantes sous la même condamnation, faire une belle et suffisante figure dans les faits même de la révolte.

L'émigration que l'indépendance de l'Amérique pourra causer est peut-être le premier point que l'Europe doit tâcher d'empêcher. Les Américains, pour bien d'années avant la révolte, avoient presque partout des personnes qui encourageoient les pauvres gens à y aller. A présent ils tâcheront de multiplier la population avec beaucoup d'industrie; et surtout d'attirer chez eux les gens de métier et les manufacturiers, afin de se soustraire à la nécessité d'acheter le tout aux Européens.

Les ordonnances et la force ne sont pas suffisantes pour empêcher entièrement l'émigration.⁶ On trouve toujours des moyens pour les évader. Il semble que l'encouragement dans la patrie à tous les plus inférieurs ouvriers mêmes, aura plus d'effet contre les tentations de l'Amérique.

⁵ Extract from a report of Songa, the Imperial consul at London, to the Brussels government, February 8, 1783. The report is in the Archives Générales, Brussels, Conseil Privé, carton no. 1152.

⁶ There is a large number of edicts against emigration in the "Recueil des Ordonnances des Pays-Bas Autrichiens" (to 1786) and in the "Recueil des

II. LAFAYETTE'S VISIT TO AMERICA, 1784.¹

M. le Marquis de La Fayette arriva de Lorient à New-York le 5 de ce mois après une traversée de 35 jours et en cette ville le 9, accompagné de M. le chevalier de Caraman. Une troupe de la milice ou Dragons de la Pensilvanie fut envoyée à quelques miles d'ici pour l'escorter. Les principaux de cet état furent le complimenter et le recevoir hors de la ville. Les cloches annoncèrent son arrivée au public. Il ne pénétre pas jusqu'ici de quelle durée sera son séjour.

III. BANKRUPTCIES IN PHILADELPHIA AND NEW YORK, 1784.²

Trois maisons de commerce à Philadelphie, l'une sous la raison de Sluyter, hollandois, l'autre sous la raison de Basse et Soyer, hambourgeois, et la troisième sous la raison de Hamelin, françois, viennent de faire banqueroute.

On évalue celle de Sluyter au delà de 50 mille et celle de Basse et Soyer à 60 mille Pounds.

Celle d'Hamelin n'est pas évaluée dans le public; on la dit beaucoup moins forte que les autres.

Sluyter, Soyer et Hamelin ont d'abord été colloqués dans la prison. Basse a pris la fuite et s'est embarqué au cap May.

L'opinion générale est que les banqueroutes de Sluyter, Basse et Soyer sont frauduleuses et que le fond du commerce de ces deux derniers appartient à des hollandois.

à New-York: Parker, Hopkins et M^r Lane. No. 22, Wallstreet.

On dit cette banqueroute très considérable.

IV. FASHIONS OF AMERICAN WOMEN, 1784.

A³

Les soieries de couleur grise de différentes nuances et qualités tant taffetas que moire, unies, doubles satinées, peu de fleuragées sont les plus recherchées par ceux de la secte des trembleurs ou Quakers; très peu d'entre eux portent des soieries d'une autre couleur.

D'autres sortes en bleu, blanc, moredoré etc. trouveront cependant aussi du débit, mais à beaucoup près pas en si grande quantité que les premières; le tout uni et le moins en couleurs vives.

... Il y a surtout une sorte de taffetas extrêmement léger que la

Ordonnances et Règlements", of the Bibliothèque des Archives Générales of Brussels, volumes XXVIII. and XXIX. [The *Pennsylvania Gazette* of May 26, 1784, contains the following extract of a letter from Copenhagen, March 2: "The migrations from out of Holstein have lately been so great, on account of the encouragement which the American states give to foreigners settling among them, that the King has found it necessary to publish an ordonnance, forbidding, under heavy penalties, any person leaving the Danish dominions without licence."]

¹ Extract from a report of the Baron de Beelen-Bertholff to Count Barbiano de Belgioioso, minister plenipotentiary of the Emperor at Brussels, dated at Philadelphia, August 12, 1784. Brussels, Archives Générales, "Chancellerie des Pays-Bas à Vienne", portfolio 303. For other details concerning the visit of Lafáyettes see Schlitter, *Die Berichte des Ersten Agenten Oesterreichs in den Vereinigten Staaten von Amerika*, Baron de Beelen-Bertholff, pp. 339, 361, 377, and 558.

² Note L appended to the report of August 12, 1784, in portfolio 303.

³ Extract from note N of the same report.

France fournit dans l'Amérique septentrionale, qui se place bien avantageusement et dont l'emploi en toutes couleurs est assez général pour tabliers, même pour des robes ou robettes que l'on porte dans le fort de l'été. Comme aussi une autre sorte en noir et en gris, moins du gris que du noir, dont on fait des chapeaux et calèches pour les femmes; et il n'y en a presque aucune dans Philadelphie, pas même du peuple, qui doit être dépourvue de l'un ou de l'autre, au point que lorsqu'une personne du sexe étant habillée (je n'excepte pas les négresses) marche dans les rues sans chapeau ou calèche, on conclut que c'est une étrangère, on la remarque et l'étrangère se conforme enfin à l'usage, ce qui comme il est sensible, entraîne une forte consommation de soieries qui sont propres à cette mode.

B¹⁰

En tout cinquante une nuances différentes en gris, blanc, couleur de chair, pâle, ventre de biche etc. peu plombée et autres de ce genre. Par dessus ces couleurs qui sont décidément les plus recherchées, il y en a cependant encore quelques unes qui trouveroient à Philadelphie un certain débit; telles seroient celles qui ne sont pas riches, vives ou brillantes, mais pas au dessus du prix de 20 escalins de Brabant rendu à Ostende; on excepte l'écarlate du prix moien, on pourroit en ajouter mais très peu dans un assortiment. Quant aux satines dont il y a quatre échantillons sur la carte, on n'est pas de sentiment que celle de couleur pompadour ni la bleue seroient de débit, les grises pourront se placer avantageusement aux prix de 12 et 15 escalins, rendues à Ostende, qui y sont indiqués, mais peu.

V. THE SALE OF EUROPEAN GIN IN AMERICA, 1784.¹¹

Il ne reste pas de genièvre invendu ni d'Hollande, ni de celui que nos négocians des Pais-bas ont envoyé à Philadelphie. Pourvu qu'il tienne preuve.

Il en est arrivé à Philadelphie en pipes ou futailles; la qualité du bois a jauni le genièvre pendant la traversée, il est par là déchu de valeur, il doit être et rester blanc.

Un navire arrivé à Philadelphie d'Ostende au mois de Juillet, en contenait une partie assez forte en bouteilles dans des paniers d'osier de 50 flacons. On sait qu'on en a fait bonne vente et sur le champ, quoiqu'il y ait eu une certaine quantité cassée, et que le bénéfice sur 200 paniers a surpassé de 2000 fl. la facture.

Le genièvre que les Hollandois envoient dans l'Amérique septentrionale est emballé dans des caisses qui contiennent 12 bouteilles carrées. Ces caisses sont à pentures et serrures, peintes en vert au dehors.

¹⁰ *Ibid.* This is an extract of a memorandum drawn up by the Council of Finance at Brussels from a report of Baron de Beelen in 1784, probably from note A appended to the report of September 22, 1784, mentioned in the Comte de Proli's "Observations" printed in Schlitter, *Die Berichte*, pp. 242-284 (see p. 274 of that work). The memorandum relates to a card of samples of the fabrics of Limburg sent to America, upon which the agent of the Imperial government had noted the shades which the American people liked. In note B of his report of June 17, 1785, Beelen returned to his observations upon the subject of the shades most sought after. See *ibid.*, pp. 261, 417-418.

¹¹ Memorandum of Baron de Beelen addressed to the government of Brussels. It is without date, but a marginal record shows that it arrived in Brussels in the first quarter of 1785, or at least before April 16. Archives, *ibid.*, portfolio 303.

On ne voit pas arriver à Philadelphie un navire hollandais qui n'ait pas quelques cent de ces caisses à bord.

Un navire hollandais qui fit voile d'Amsterdam sur Philadelphie où il arriva en novembre dernier [1784] a eu à bord 1500 de ces caisses de genièvre. La vente de la totalité s'en est faite endéans la quinzaine après l'arrivée de ce navire, savoir 1200 caisses les deux premiers jours et les 300 restantes ensuite. Il y a eu sur cela un bénéfice de 26 pour cent.

VI. THE USE OF CARPETS IN AMERICA, 1784.¹²

Les tapis de pied qui se fabriquent à Tournay sont, d'après les informations qu'on a reçues, d'un bon débit dans toute l'Amérique septentrionale. Leur usage y est général. Il est peu ou point de bonnes maisons dont les escaliers mêmes n'en soient couverts. Ceux-ci sont de différentes largeurs; beaucoup n'ont qu'une aune de Brabant ou environ et sont d'une moindre qualité: on y trouve chez les principaux négocians des tapis de pied jusques dans les vestibules ou entrées de maisons.

Mais les tapis de table n'y sont point en usage. La beauté du bois de Mahoni, dont sont presque tous les meubles, en est la cause.

VII. TRADE BETWEEN THE ENGLISH AND THE SAVAGE TRIBES OF NORTH AMERICA.¹³

... Les sauvages ont différents besoins que les Anglois sont en possession de leur procurer à portée des lieux qu'ils habitent ou de ceux dont la multitude fréquente les marchés. De ce genre sont des couvertes tant de lit que de corps, de fil de laine, de coton et autres mélangées de ces matières, dans lesquelles ils s'enveloppent; des cornets à poudre et plomb à giboyer, arcs et fusils etc. sur lesquels il faut, pour avoir le débit ou les mettre en échange, que des attributs de guerre et autres soient gravés ou désignés, des bracelets de cuivre et d'autre métal, une sorte de chausse toute particulière, des bagues d'oreilles et de nez et plusieurs autres articles de détail, façon et circonstances desquels on ne peut pas obtenir dans Philadelphie les notions convenables. Je n'ai pu m'y procurer que l'Indian Pipe Tomahawk que j'ai joint aux modèles des articles qui m'ont paru avoir trait au commerce des États de Sa Majesté au delà du Rhin, parce que ce fatal instrument est acéré. Le débit en est remarquable.

C'est Monseigneur, par une suite de ces considérations et parceque la branche du commerce avec les différentes nations sauvages présente à plusieurs égards des avantages considérables nommément pour les pelletteries qu'on reçoit en échange, branche de commerce encore presque entièrement exclusive en faveur des Anglois, que je me rendrai au fort Pitt, dès que les chefs des sauvages auront déferé à l'invitation des

¹² Extract of memorandum drawn up in the Council of Finance in Brussels before April 21, 1785, from a report of Baron de Beelen, probably note K of the report of June 21, 1784, indicated by the Comte de Proli (see Schlitter, *Die Berichte*, p. 274). *Ibid.*

¹³ Extract from the report of Baron de Beelen, June 21, 1784. *Ibid.* This report is indicated in Schlitter's work (*Die Berichte*, p. 274) but is not printed. Cf. *ibid.*, pp. 278, 552-559, where other details are given. Because of its interest I shall publish it ultimately in a work upon the mission of Baron de Beelen, which I am preparing in collaboration with my friend, J. Mees, of the Archives Générales of Brussels.

États-Unis de s'y trouver avec les commissaires du Congrès; c'est le seul moyen que je puisse employer efficacement pour procurer les modèles à ces égards et sans lesquels nous ne pouvons pas espérer de participer au commerce des autres nations européennes avec les sauvages. J'espère de reconstruire par cette conduite les vues des ordres supérieurs.

VIII. THE GROWTH OF POPULATION IN THE UNITED STATES AND THE INCREASE IN THE CONSUMPTION OF EUROPEAN LINENS.¹⁴

Je ne m'arrêterai pas à discuter s'il y a quatre ou cinq ou plus de millions d'habitants dans l'étendue des États-Unis établie et circonscrite par le traité de paix; ce qu'il y a de certain, c'est que cette population composée de toutes les nations et de toutes les sectes de l'Europe, excepté des Mahométans, est infiniment au delà de ce à quoi les écrivains les plus modernes l'ont portée; son accroissement va d'une rapidité étonnante et toujours en proportion de l'augmentation de ses moyens de subsistance dont la source paroît intarissable et coule pour ainsi dire dans le sein de l'humanité.

Ces moyens sont dans cette République bien plus faciles que dans aucun état de l'Europe. Il est au choix du colon de se procurer au delà de ses besoins de première nécessité par l'un ou l'autre de ces moyens et de passer de l'un à l'autre sans entrave; on n'y connoît ni corps de métiers ni corporation. La liberté est en plein champ. L'agriculture ou la culture n'est généralement parlant ni pénible ni dispendieuse comme en Europe, et ses produits sont au moins au triple. La navigation y occupe une immense quantité de monde. Les matelots et ouvriers de tout genre y sont salariés au delà du double de ceux de l'Europe. Un commerce actif et passif, suite naturelle de l'agriculture et de la navigation, acquiert chaque jour des nouvelles branches par les nouveaux besoins, par le luxe rapide et les mœurs ou innées ou adoptées des habitants et de leurs voisins. Il n'y a peut-être aucune nation plus inclinée à imiter, et leur facile crédulité les y porte bien aisément.

Cet accroissement prodigieux et subit de population tient au surplus aux émigrations de l'Europe. La Gazette de cette ville fait monter à onze mille le nombre des Irlandois qui seroient débarqués dans les ports de la nouvelle République pendant la dernière année.

Il y a encore en ce moment deux navires dans le port de Philadelphie qui en ont amené deux cent cinquante de cette nation. L'un a déjà vendu sa cargaison de chair humaine; on les achète pour un terme d'années. La même gazette du 25 May dernier indique qu'il est arrivé à Baltimore, en 15 jours de tems, huit navires de différens endroits de l'Irlande avec des *servantes*, c'est à dire des serves pro tempore, et passagers.¹⁵

Ce n'est pas seulement de l'Irlande qu'il vient ici du peuple et des émigrans. Il en vient un très grand nombre des différens États de

¹⁴ Extract from note A annexed to the relation of Baron de Beelen, June 21, 1784. *Ibid.*

¹⁵ [The reference is to the *Pennsylvania Gazette* of May 26, 1784 (there was no number for May 25): "By accounts from Baltimore we learn, that within the last two weeks eight vessels have arrived at that port from different parts of Ireland, with servants and passengers." Announcements like the following occur in almost every issue of the *Gazette* at this time: "Monday morning the ship *friendship*, Capt. M'Adam, arrived here from Belfast, with near 400 passengers." *Ibid.*, June 30, 1784.]

l'Empire; des Allemands établis ici depuis quelques années conviennent d'un tantième par tête avec un armateur américain ou autre pour les émigrans qu'il lui procurera en retour d'Amsterdam ou d'autres ports de l'Europe. Cet enrôleur passe et revient avec le même navire et ceux qu'il a induits ou séduits. L'Angleterre et l'Écosse fournissent de même à l'augmentation du peuple américain (Extrait d'une lettre de Londres à Boston, 10 Mars 1784: The present situation of public affairs portends most direful consequences, public credit is low and daily diminishing. To your state the eyes of the peaceful inhabitants of this devoted country are directed as an asylum from civil dissensions. Thousand are now preparing to embark, and many more will soon follow them to your peaceful shores.)

Aussi l'ensemble de ces nouveaux venus en si peu de tems, joint aux progrès de la multiplication du peuple fondamental et d'autres causes, ont déterminé les États-Unis à circonscrire dix nouvelles provinces, nommément sur l'Ohio jusqu'au Mississipi. . . .

Les Pais étrangers et les sauvages y avoisinant qui se civilisent concourent au surplus à les peupler subitement. Nos toiles y gagneront donc encore un autre nouveau débouché qui ira pendant de longues années en augmentant, ainsi que cela est arrivé dans les treize États primitifs, où le peuple n'a commencé que depuis peu, depuis—dis-je-qu'on y jouit du bonheur de la paix, à se donner des toiles, linge etc. . . . plus abondamment tant en habillemens qu'en meubles et d'en faire usage comme les Européens. Cela n'est pas même encore à tous égards général. Les lits de la plus grande partie des habitans, des gens même très aisés, sont sans rideaux; le sexe de basse classe et c'est le plus nombreux ne se couvre pas la tête¹⁰ très peu la gorge, laissant les cheveux épars, quelques unes retroussées même dans le fort de l'hyver; mais la classe moienne en est déjà aux bonnets de toile en tout genre et l'on s'aperçoit chaque jour de l'imitation.

Il y a au surplus ici une plus grande consommation de toiles par un nombre égal de peuple en comparaison avec l'Europe; elle provient en partie de l'insouciance ou paresse pour l'économie ou la conservation de ce qu'il possède, au savon liquide dont le peuple fait usage pour le blanchiment, dont le mordant opère une plus prompte dissolution des linges et toiles. La consommation des toiles s'accroît encore par l'usage qu'en fait le peuple des deux sexes à la campagne pour son habillement pendant neuf à dix mois de l'année, ce qui est l'effet du climat.

La législation à laquelle les Américains se sont soustraits les mit dans le cas de faire un usage presque exclusif des toiles du Royaume d'Irlande. Sous la même domination et quelle qu'ait été la durée de la guerre que la révolution a entraînée, quelles qu'aient été les entraves qui en sont une suite nécessaire, les toiles d'Irlande ont pénétré. Elles ont été de tems en tems importées par des navires qui ont échappé à la vigilance de leurs ennemis; le besoin forçoit les uns et l'intérêt les autres.

Le haut prix qui résultoit de ces circonstances et le défaut pour la classe qui n'est pas en état de s'y porter, le fléau de la guerre, dis-je, qui privoit les insurgens d'une infinité d'articles de première nécessité, aiguillonna en quelque sorte leur industrie et l'activité qui ne leur est d'ailleurs pas naturelle. Ils semèrent plus de lin et de chanvre que

¹⁰ We have seen above (no. IV., ante, p. 570) that when women go out attired (to church, for example) they are always provided with a hat or bonnet. The reference here is to "négligé".

jamais et ils parvinrent à se donner une toile nationale, mais seulement d'usage dans l'extrême besoin, n'ayant comme ils ne l'ont pas encore présentement que la connoissance la plus grossière et de la culture et de la préparation du lin. Le but principal que le colon se propose en cultivant le lin est, généralement parlant, d'en recueillir la graine; elle passe copieusement et par cargaisons entières en Irlande et, comme on la laisse complètement mûrir, la filasse est presque entièrement détruite avant la récolte.

Ils n'ont aucune idée d'une blanchisserie ni des apprêts semblables ou approchans des nôtres; aussi n'y a-t-il pas une seule blanchisserie de toiles dans toute l'étendue des États-Unis.

Habitué de tout tems aux qualités des toiles d'Irlande et les Irlandois à en approvisionner l'Amérique septentrionale, ce commerce reprit son plein cours à la conclusion de la paix. Les affiches, les feuilles publiques annoncèrent l'arrivée de ces toiles d'Irlande alors surchargées par le même effet qui en avoit privé ces Américains. Les négocians des principales villes et les commissionnaires¹⁷ de ceux de Glasgow et autres lieux rentrèrent dans cette branche, replacèrent les écriteaux et les enseignes qui indiquoient les *Irish Linen Store* ou Magasin de toiles d'Irlande. Telles ont été et sont présentement à Philadelphie et en Pensilvanie les maisons de commerce de

Thomson et M'Clenachan, in Frontstreet near Pinestreet,
 Davan et Duane, in Marketstreet opposite the post office Wilmington,
 Peter Wikoff, in Frontstreet halfway between Arch and Races street,
 John Henry in Waterstreet between Chestnut and Walnut street,
 Campbell and Kingston

et plusieurs autres tels que Bach et Jey Oeller etc. qui se chargent des ventes en commission.

à New York:

William Thomson et Co. No. 16 Waterstreet
 Wilsons and Saidler, no. 12 Queenstreet

... Mais les Irlandois en important tout à coup des quantités considérables de leurs toiles, que le défaut de ce grand débouché avoit emmagasinées pendant plusieurs années, ou dont les qualités n'ont pas été portées, par une économie forcée des fabriques sans débit, à la perfection qu'elles peuvent avoir eu avant la guerre, les Irlandois—dis-je, se sont déviés du principe de n'envoier à l'étranger que des marchandises assez bien conditionnées pour obtenir la préférence, ou du moins soutenir la concurrence. ...

Ne conviendrait-il pas de saisir avec empressement des circonstances si propices pour mettre ici en commerce avec quelque effort même relatif nos belles et bonnes toiles de Bohème et de Silésie.

... Dans l'un de ces magasins que tient ici avec quantité d'autres articles le nommé Ghovaers, associé et commissionnaire de la maison de De Heyder, Veidt, Ravenstein, Dewall et cie. d'Anvers¹⁸ il y avoit

¹⁷ In a memorandum upon the cloths of Limburg, drawn up from the indications of Beelen and addressed to the Estates of Limburg, April 23, 1785, occurs this passage: "On fait une observation qu'il est essentiel de porter à la connoissance de nos fabriquans, qu'il n'y a pour ainsi dire pas dans Philadelphie de véritables négocians, tous font en commission et prennent à ce titre 5% de la vente, 2 et 2½ de magasinage et 5% de l'achat de la marchandise en retour."

¹⁸ In regard to this firm see Schlitter, *Die Berichte*, pp. 332, 418, 424, 654, 664, 722, etc.

passé quelques mois une quantité très considérable des toiles de Flandre qui est venue par Ostende à Philadelphie et qui a fait partie de deux cargaisons. Il n'en reste à cette date que douze balles invendues. . . .

Les toiles écruës ne sont guère demandées ici. . . . En effet j'ai vu dans ce même magasin une partie de toiles en écru, de valeur huit à neuf mille florins de Brabant, dont Ghovaers se disait embarrassé au point qu'il balance de les renvoyer, car il n'y a, heureusement pour notre commerce de toile en général, encore aucune blanchisserie de toiles dans toute l'étendue des États-Unis.

IX. PROSPECTUS PUT IN CIRCULATION BY THE UNITED STATES TO ATTRACT COLONISTS, 1785.¹⁹

Monsieur, je n'ai pas oublié qu'à mon passage par Bruxelles, sur la fin de juin dernier, je vous promis de vous faire part du fruit de mon séjour dans la Pensilvanie. . . . Je commence par vous envoyer une pièce que les États unis du North America font adroitement circuler en Europe, pour attirer à eux ceux qui croient à ce galbanum.²⁰ Ainsi a été pris le baron de Belen, conseiller de commerce de Sa Majesté impériale. Comme ce prospectus donnoit justement dans ses idées d'agriculture, il y a cru et en conséquence a acquis des terres dans le comté de Lancaster. Mais moi qui ai visité ces provinces en philosophe, j'assure qu'il ne résulte rien de ce prospectus.

X. THE REMOVAL OF THE SEAT OF CONGRESS FROM PHILADELPHIA TO NEW YORK; ISSUE OF PAPER MONEY BY THE STATE OF PENNSYLVANIA; BANKS AND COMMERCIAL HOUSES.²¹

. . . On s'aperçoit plus que jamais à Philadelphie du siège du Congrès à New York.²² Tous les départemens y ont été transférés, celui de la marine, pour lequel le Congrès a dénommé un ministre, s'y fixa la semaine dernière, le tout en attendant que la nouvelle ville de confédération, l'hôtel pour le Congrès et ses ministres soient construits près de la Delaware;²³ les commissaires s'en occupent déjà.

L'État de Pensylvanie va mettre en circulation pour 150,000 £ de papier monnaie de 10 sh. jusqu'à 3 d; les sentimens sont partagés sur les bons ou mauvais effets de cette opération de finances. Le fait est qu'il n'y a pas assez de numéraire. On songe, mais vaguement encore, à une monnaie nationale. L'affluence des étrangers négocians ou marchands se rallentit en cette ville; plusieurs françois retournent chez eux; les articles de France-Europe ne conviennent guères dans ces marchés généralement parlant. D'autres nations peuvent y fournir les plus essentielles à plus bas prix, peu d'entre eux y ont fait de bonnes affaires, quelques mauvaises qui ont entraîné des faillites. Ceux de la société des Quakers et autres nationaux sont rarement dans ce cas; ils se soutiennent et

¹⁹ Extract of a letter of Pierre Ransonnet, formerly a cavalry officer in the service of Austria, to M. de Reuss, joint Secretary of State and War in Brussels. The letter is dated at Liège, February 8, 1785. Brussels, Archives Générales, "Chancellerie des Pays-Bas à Vienne", portfolio 303.

²⁰ This document is missing from the dossier.

²¹ Extract of a letter from Baron de Beelen to M. de Reuss (see *ante*, note 19). The letter is dated at Philadelphia, March 20, 1785. *Ibid*.

²² [Cf. Schlitter, *Die Berichte*, p. 391. Congress adjourned from Trenton on December 24 and met in New York on January 11.]

²³ [See the *Journals of the Continental Congress*, December 23, 1784.]

s'épargnent mutuellement et ne s'exposent pas aux effets rigoureux de la banque. La maison de commerce de De Heyder et Veith d'Anvers est une des mieux accréditées parmi les étrangères, celle de Praegers et Liebaert l'est également, mais la dépense domestique et de bureau qu'elle fait qui monte à trois mille £ annuellement par les traitemens, équipage au delà de l'état d'un négociant, ainsi que Praegers me l'a dit lui même, retranche dans l'opinion sur sa solidité telle qu'elle puisse être.²⁴ Le directeur anversoïse se conduit plus sagement à cet égard et c'est ce qu'il faut pour saisir l'esprit de la nation.

XI. PROPOSITION OF KAUNITZ-RITTBERG, CHANCELLOR OF COURT AND STATE IN VIENNA, CONCERNING A TREATY OF COMMERCE WITH THE UNITED STATES, AND THE AUTOGRAPHIC INSTRUCTIONS OF JOSEPH II., FEBRUARY 27, 1786.²⁵

Sire,

Les États Unis de l'Amérique ayant fait témoigner par le Sieur Franklin dès l'an 1784 leur désir de conclure un traité d'amitié et de commerce avec Votre Sacrée Majesté Impériale et Roïale Apostolique, le Comte de Mercy fut autorisé par ses Ordres d'écouter les propositions ultérieures qui lui seroient faites à ce sujet.

Je requis en même tems tant le Gouvernement Général des Pays Bas que la Chancellerie de Bohême et d'Autriche de donner leurs avis sur la conclusion et les objets d'un arrangement du Commerce avec les dits États-Unis, qui me parvinrent sur la fin de 1784 et au commencement de 1785, c'est à dire dans un tems, où les différens survenus avec les hollandois necessitoient la suspension d'une semblable négociation par la grande connexion qu'ils avoient avec l'état futur du Commerce des Provinces belgiques.

Mais cette cause de suspension venant à cesser aujourd'hui et le Sieur Jefferson, qui a remplacé le Sr. Franklin dans le poste de Ministre des États Unis à Paris, ayant renouvelé depuis peu au Cte. de Mercy la proposition d'un Traité d'amitié et de Commerce sur le pied de ceux que d'autres Puissances Européennes ont conclu avec eux, je ne dois pas tarder plus longtems de faire mon rapport sur cette matière à Votre Majesté et de l'accompagner de mon très humble avis.

Le Gouvernement Général des Pays Bas, en reconnaissant l'utilité qu'un pareil arrangement de Commerce auroit pour les Provinces belgiques, avoit proposé de prendre pour base du nôtre, le traité de commerce que la Hollande a conclu avec les États Américains le 7^{me} octobre 1782, avec quelques légères modifications et omissions que la différence des circonstances suggéroit.

J'ai l'honneur de joindre ici copie de ce traité de la Hollande, ainsi qu'un imprimé d'un Traité de Commerce antérieur fait par la France avec les dits États, lequel avoit servi de modèle à celui des hollandois, de même qu'à celui qui a eu lieu depuis avec la Suède et qui probablement servira également de modèle à tous ceux que la nouvelle République confédérée conclura à l'avenir avec telle autre Puissance que ce soit.

²⁴ It is remarkable that this house (De Heyder, Veydt, and Company, of Antwerp), which did a large business, and of which Baron de Beelen speaks so highly, failed shortly afterward. Cf. H. Van Houtte, "Contribution à l'Histoire Commerciale des États de l'Empereur Joseph II., 1780-1790", in *Vierteljahrsschrift für Social- und Wirtschaftsgeschichte*, 1910, pp. 390-391.

²⁵ Vienna, Kaiserl. Königl. Staatsarchiv, "DD, Vorträge, 13".

²⁶ [The correct date is October 8.]

Or tous ces traités de Commerce des États Américains sont fondés sur les principes sages et salutaires, 1° d'établir une parfaite égalité d'avantages et de faveurs vis-à-vis de toutes les nations étrangères qui leur en accordent la réciprocité par des Traités.

2° de se réserver mutuellement la pleine liberté de régler les douanes comme chacun le trouvera convenable.

Sur quoi je dois remarquer préalablement que ces deux principes correspondent entièrement avec le système de Commerce et de Douanes établi dans les États de Votre Majesté et lèvent par conséquent les obstacles qui s'opposeroient sans cela de notre part à l'arrangement proposé.

En partant de ces principes les objets des dits Traités, qui regardent proprement *le Commerce* et la communication des sujets réciproques, se bornent aux suivans :

1°. On s'accorde mutuellement les droits des nations les plus favorisées.

2°. le Droit d'Aubaine est aboli pour les sujets respectifs.

3°. liberté de conscience pour ces mêmes sujets moyennant qu'ils se soumettent quant à la démonstration publique, aux loix du Pays.

4°. Permission d'établir des Consuls, Vice Consuls etc, etc.

5°. Assistance des Vaisseaux et Personnes naufragées. Toutes stipulations qui peuvent être adoptées de notre part sans le moindre inconvénient.

Les autres articles des traités de Commerce mentionnés ont rapport

1°. aux *principes de neutralité maritime*, à l'égard desquels on y adopte à peu près les mêmes principes qui ont été proposés par la Russie et avoués par l'accession solennelle de Votre Majesté.

2°. Aux *circonstances de la guerre maritime durant laquelle ces traités ont été conclus ou qui pourroient survenir à l'avenir*, et particulièrement à la protection mutuelle des navires appartenans aux sujets respectifs, à la défense faite à ces derniers de servir sur mer contre l'autre puissance, et enfin à un règlement réciproque au sujet des prises et reprises qui se feroient de part et d'autre.

Quant à la Chancellerie d'Autriche et de Bohême, il m'a été communiqué de sa part l'avis du Gouvernement de Trieste ainsi que celui des principaux négocians de ce port sur l'objet en question, desquels il résulte, que quel que puisse être le succès des spéculations et des essais que plusieurs d'entre eux avoient déjà entrepris vers les ports de l'Amérique septentrionale et dont on ne pouvoit encore rien avancer de certain, il seroit toutefois essentiel de stipuler pour nos Vaisseaux, sujets et marchandises *les droits accordés de part et d'autre aux Nations les plus favorisées*.

Or comme 1° ce résultat s'accorde tout à fait avec l'avis du Gouvernement Général des Pays Bas, attendu que le traité de commerce des hollandais proposé pour base du nôtre ne contient d'autres articles sur l'objet du commerce que de tels qui rentrent immédiatement dans cette stipulation générale, recommandée par le Gouvernement de Trieste, ou qui dérivent déjà d'eux mêmes du droit des Gens ;

Comme, en second lieu, il est non seulement convenable, après les démarches que Votre Majesté a déjà faites en faveur des principes de Neutralité maritime, d'en étendre de plus en plus l'adoption et l'autorité, mais qu'aussi les Pays Bas sont immédiatement intéressés à ce que, dans le cas d'une guerre maritime future, le Pavillon de Votre Majesté jouisse partout de tous les avantages de la Neutralité ;

Comme enfin cette dernière considération s'étend aussi à quelques unes des stipulations, ci-dessus indiquées, relatives aux prises et reprises et à la protection des navires en tems de guerre :

Je suis du respectueux avis qu'aucune difficulté ne s'oppose à la confection d'une convention avec les dits États Unis, conforme pour la substance aux traités mentionnés, moyennant les modifications nécessaires dans la forme et le fond; mais qu'au contraire un pareil arrangement seroit utile aux Provinces belgiques de Votre Majesté soit en tems de paix soit en cas de guerre maritime; en même tems que les négocians de Trieste et de Fiume, supposé qu'ils parviennent réellement à former quelques relations de Commerce avec l'Amérique septentrionale, ne pourront y réussir qu'à la faveur des mêmes droits qu'on y accorde aux Nations favorisées.

Je suis d'autant plus confirmé dans ce très humble avis que dans le fond Votre Majesté n'accorderoit en réciprocité absolument rien que ce qui se trouve accordé dès à présent à toutes les nations étrangères qui fréquentent les Ports flamands et du *Littorale*; en sorte que sans traité de Commerce les Américains obtiendroient réellement tout ce qu'ils peuvent désirer, tandis qu'il n'en seroit pas de même des sujets de Votre Majesté, puisque suivant les derniers rapports du Baron de Beelen les sujets des Puissances qui n'ont pas encore de traité avec les États Unis y éprouvent une grande différence dans l'accueil et le traitement qu'on leur fait en comparaison des autres; et que la plupart de ces États ont fait, ou se disposent à faire des réglemens qui assujettissent les premiers à un surcroit de droit d'imposition; circonstance qui met toutes les Nations Européennes dans la nécessité de conclure des conventions avec ces États, à moins qu'elles ne veuillent renoncer à toute liaison de Commerce avec eux.

Par toutes ces considérations je crois en toute soumission que Votre Majesté pourroit permettre que j'autorise le Comte de Mercy, de concert avec le Gouvernement Général, à la négociation et conclusion d'une pareille convention sur les principes et avec les modifications ci-dessus indiqués, comme étant une démarche, par la quelle on ne s'expose à aucun risque ni inconvénient, et qui sans contredire en rien le système et les intérêts des Provinces Allemandes de Votre Majesté, offriroit une utilité réelle pour le Commerce des Provinces belgiques.

Je sou mets néanmoins le tout avec le plus profond respect à la Souveraine Détermination de Votre Sacrée Majesté.

KAUNITZ R.

J'approuve entièrement ce que vous proposés et le Comte de Mercy peut être autorisé en conséquence. Mais comme je suis décidé à faire adopter le Pavillon d'*Autriche* dans tous les Ports de la Hongrie, du *Littorale*, des Provinces Belgiques, ainsi que de la Toscane, il convient d'exprimer particulièrement, que formant ce traité de Commerce uniquement comme chef de ma maison, tous les avantages ne seront censés stipulés qu'en faveur du Pavillon d'*Autriche* qui est blanc et rouge. Vous chargerés en même tems le Gouvernement des Pais Bas pour que dès à present ce Pavillon soit généralement introduit dans les ports flamands à l'exclusion de tout autre, la chancellerie de Bohême et d'*Autriche* ainsi que celle d'Hongrie recevant les mêmes ordres à l'égard des Ports respectifs.

JOSEPH.

NOTE ON AMERICAN NEGOTIATIONS FOR COMMERCIAL TREATIES,
1776-1786.

Among the documents transmitted by Professor Van Houtte is the project of a treaty with Austria which was proposed by Jefferson in May, 1786, to the Comte de Mercy-Argenteau, minister of the Imperial government at the court of Versailles; but, as will be pointed out farther on, this project approximates so closely the treaty concluded with Prussia on September 10, 1785, that it is not here printed. The project itself possesses, however, an interest of its own, inasmuch as it is the result of an evolutionary process which had its initial stages in the very beginnings of American diplomatic history, and which it is therefore worth while to describe in this place.

On July 18, 1776, a committee of the Continental Congress reported a "plan of treaties to be entered into with foreign states or kingdoms", which, after some emendations, was adopted on September 17 following.¹ The instructions which were superadded to the plan on September 24 left the way open for many modifications of the provisions laid down in the plan, yet a comparison of the draft prepared by Congress with the treaty of amity and commerce concluded with France on February 6, 1778, shows that in language as well as in substance the plan was closely adhered to in that treaty.² The interesting fact is that this same plan appears in practically every negotiation for a treaty of amity and commerce which took place during the entire period of the Continental Congress. Articles might be added or subtracted, enlarged or reduced or otherwise modified, but the plan retains through all the changes an easily recognized identity.

The plan was drawn primarily to be used as a basis for negotiations with France, yet it is evident that the possibility of treating with other powers was held in view, and this idea took substantial form on December 30, when it was resolved: "That Commissioners be forthwith sent to the Courts of Vienna, Spain, Prussia and the grand Duke of Tuscany".³ Franklin was at once chosen for the

¹ The plan as originally reported, showing the process of revision, is printed in the *Journals of the Continental Congress* (ed. W. C. Ford), July 18, 1776, and in its amended form, *ibid.*, September 17, 1776. The committee which drew up the plan was appointed on June 12 in pursuance of a resolution of June 11, that is, while the Declaration of Independence was yet brewing.

² The treaty with France is found in *Jour. Cont. Cong.*, May 4, 1778, and in *Treaties, Conventions, etc., between the United States and Other Powers* (ed. Malloy), I. 468-479.

³ See the further resolves outlining the instructions, *Jour. Cont. Cong.*, December 30, 1776. This action was anticipated by some "additional instructions to B.F., S.D., and T.J.", October 16.

Spanish mission,⁴ but the commissioners to the other courts, William Lee to Berlin and Vienna, and Ralph Izard to Tuscany, were not chosen until the following May.⁵ The instructions to William Lee and Ralph Izard contain this clause: "For your better instruction herein, the commissioners at the court of Versailles will be desired to furnish you, from Paris, with a copy of the treaty originally proposed by Congress, to be entered into with France, together with the subsequent alterations that have been proposed on either side."⁶ The efforts to negotiate with Spain were unsuccessful, Izard never went to Tuscany, and although William Lee did go to Vienna he found no opportunity to negotiate a treaty with that court.⁷

On retiring to Frankfort, however, in the summer of 1778, Lee took it upon himself to draw up with John de Neufville, representing the city of Amsterdam, what the negotiators considered to be "a proper treaty of commerce to be entered into" between the Netherlands and the United States.⁸ Lee wrote to the Committee of Foreign Affairs on September 12⁹ that the draft contained "all the substantially advantageous articles of the commercial treaty with France and some beneficial additions". It is evident from an examination of this project that Lee had before him not only the treaty with France but also the original plan which was drawn up in Congress nearly two years before. It may also be noted here that parts of Lee's draft not found in either of his models were incorporated into subsequent treaty projects. Lee avowed that he had no authority to sign a treaty with the Netherlands, but he repeatedly urged Congress to adopt measures for giving its sanction to the treaty which he had drawn.¹⁰

⁴ January 1, 1777. On May 1 Arthur Lee was also appointed to negotiate with the Spanish court.

⁵ Izard was elected on May 7, Lee on May 9.

⁶ *Jour. Cont. Cong.*, July 1, 1777.

⁷ See Schlitter, *Die Berichte des Ersten Agenten Oesterreichs in den Vereinigten Staaten von Amerika*, pp. 225-227; also Lee's correspondence in Wharton, *Revolutionary Diplomatic Correspondence of the United States*, II., and Sparks, *Diplomatic Correspondence of the American Revolution*, vol. II.

⁸ Lee's project bears the date September 4, 1778. It is recorded in *Jour. Cont. Cong.*, under the date of February 22, 1779, and is also found in Wharton, *Dipl. Corr.*, II, 789-798. See also Van Berckel to Dumas, September 23, 1778 (*ibid.*, II, 738).

⁹ *Ibid.*, II, 715.

¹⁰ Letters to the Committee of Foreign Affairs, September 12, October 15, 1778, and February 26, 1779. *Ibid.*, II, 715, 789; III, 65. Lee also delivered a copy of his treaty to the commissioners in Paris, who intimated that at a proper time they would themselves take up the matter of negotiating such a treaty with the Netherlands. See the letter of the commissioners to William Lee, September 26, 1778 (*ibid.*, II, 744); cf. their letter to Dumas, October 16 (*ibid.*, p. 798). In fact such a step had already been taken. See the commissioners to Dumas, April 10, 1778 (*ibid.*, p. 545).

Lee's project came before Congress February 22, 1779, and there for several months remained buried. In October¹¹ of that year Henry Laurens was chosen to negotiate a treaty of amity and commerce with Holland, and a draft of a treaty was prepared for him. Again, however, there was a long delay, this time for more than a year, when the commission for this particular purpose was transferred to John Adams and the draft which had been drawn up for Laurens was somewhat modified and adopted. This was on December 29, 1780.¹² This plan of Congress shows its indebtedness to Lee's project as well as to the French treaty and the plan of September, 1776, for it includes some of Lee's "beneficial and agreeable additions"; on the other hand it omits some of those provisions, as it also modifies in places both the language and the matter of its three models.

Complications in Europe long postponed negotiations with the Netherlands,¹³ but finally, on April 23, 1782, Adams laid before their High Mightinesses a project of a treaty "drawn up conformable to the instructions of Congress".¹⁴ The precise form of Adams's draft is not known¹⁵ but it probably differed but little from the treaty actually concluded on October 8 of that year, which includes provisions from Lee's project and the French treaty which are not found in the plan drafted in Congress, and also embodies other modifications, while retaining in large measure nevertheless the identical language of those projects.¹⁶

While the Dutch treaty was in progress of negotiation steps were taken toward concluding a similar treaty with Sweden. On June 25, 1782, Franklin wrote to Livingston that Sweden desired to enter into a treaty of amity and commerce with the United States, and

¹¹ See *Jour. Cont. Cong.*, October 21, 26, and 30; also November 16.

¹² See the plan in the *Journals* under that date. Dumas had, on March 15, 1780, sent to the Committee of Foreign Affairs a plan of a treaty with the Netherlands, but this plan has not been found and no evidence has been discovered that any use was made of it. See Wharton, *Dipl. Corr.*, III. 549; cf. Dumas to the President of Congress, March 21 (*ibid.*, III. 565), and Franklin to Dumas, April 23 (*ibid.*, III. 625).

¹³ Congress had meanwhile (August 16, 1781) issued additional instructions to Adams. See the *Journals* and Wharton, *Dipl. Corr.*, IV. 636; see also some observations of a committee of Congress, July 17, 1782 (*Secret Journals of the Acts and Proceedings of Congress*, III. 144).

¹⁴ Adams to Livingston, April 23, 1782 (Wharton, *Dipl. Corr.*, V. 325); cf. Adams to the President of Congress, January 14, 1782 (*ibid.*, p. 97); Dumas to Livingston, May 10 (*ibid.*, p. 409); and Adams to Dana, May 13 (*ibid.*, p. 415).

¹⁵ But see Adams to Livingston, June 9 and 15, and October 8, 1782 (*ibid.*, pp. 482, 495, 803).

¹⁶ The treaty is found in the *Journals* under January 23, 1783, and in *Treaties, Conventions, etc., between the United States and Other Powers* (ed. Malloy), II. 1233-1244.

he suggested that a particular power be given him for that purpose.¹⁷ Accordingly on September 28 a draft of a treaty to be proposed to the Swedish government was adopted by Congress and sent to Franklin, together with appropriate commission and instructions.¹⁸ The preparation of a special plan of a treaty with Sweden would appear to have been a work of supererogation, for the old plans were drawn forth and only subjected to minor alterations and some omissions.¹⁹ By April 3, 1783, the treaty had been concluded and signed.²⁰ Franklin says of the treaty: "It differs very little from the plan sent me; in nothing material."²¹ Notwithstanding this statement provisions which are not found in the draft sent to Franklin were incorporated from the French and Dutch treaties; moreover the language of the treaty was in greater degree recast than had been done in any previous instance.

Meanwhile Denmark was likewise manifesting a desire "to form as soon as possible reciprocal connexions of friendship and commerce" with the new republic, and that government's minister of foreign affairs, Rosencrone, suggested (February 22, 1783) that "the shortest way of accelerating these new connexions would be to take the treaty between the Congress and the States General for the basis."²² Franklin responded (April 13) by sending such a sketch "formed on the basis of our treaty with Holland".²³ To Livingston Franklin wrote on April 15 that, while waiting for express powers from Congress, he had sent to the Danish minister for his consideration "a translation of the plan, *mutatis mutandis*, which I received from Congress for a treaty with Sweden".²⁴ On July 8 Rosencrone submitted a counter-project which was in most respects, both in form and substance, identical with the Swedish treaty, although embodying several modifications.²⁵

¹⁷ Wharton, *Dipl. Corr.*, V. 510. See also Adams to Livingston, December 14, 1782 (*ibid.*, VI. 133), and Franklin to Livingston, December 24 (*ibid.*, VI. 163).

¹⁸ See *Jour. Cont. Cong.*, September 19 and 28, 1782.

¹⁹ One unaccountable omission was the article concerning "liberty of conscience".

²⁰ The treaty is in *Jour. Cont. Cong.*, July 29, 1783, and in *Treaties, Conventions, etc.* (ed. Malloy), II. 1725-1735.

²¹ Franklin to Livingston, March (April ?) 7, 1783. Wharton, *Dipl. Corr.*, VI. 276.

²² Rosencrone to Walterstorff, February 22, 1783. *Ibid.*, p. 261.

²³ Franklin to Rosencrone, April 13, 1783. *Ibid.*, p. 372.

²⁴ *Ibid.*, p. 397; cf. Franklin to Livingston, June 12, 1783: "The treaty with Denmark is going on. . . . It is on the plan of that proposed by Congress for Sweden." *Ibid.*, p. 480.

²⁵ This counter-project is in *ibid.*, pp. 519-527, accompanying a letter from Franklin to Livingston, July 22-25, 1783.

Portugal next came forward with proffers of friendship and trade. On June 12, 1783, Franklin wrote to Livingston: "Portugal has likewise proposed to treat with us, and the ambassador has earnestly urged me to give him a plan for the consideration of his court, which I have accordingly done, and he has forwarded it."²⁶ Returning to the subject in his letter to Livingston, July 22, he wrote: "The ambassador of Portugal . . . appears extremely desirous of a treaty with our States; I have accordingly proposed to him a plan of one (nearly the same with that sent me for Sweden) and, after my agreeing to some alterations, he has sent it to his court for approbation."²⁷ On November 1 Franklin wrote to the President of Congress that the conclusion of the Danish treaty waited only for the commission and instructions from Congress, and that the treaty with Portugal was under consideration at the Portuguese court.²⁸ Inasmuch as the proposed treaties with Denmark and Portugal did not, in the period under consideration, reach fruition, it is aside from the purpose of this note to trace them further. It should nevertheless be here noted that after the coming of Jefferson in 1784 negotiations were renewed with both powers, and new, that is, somewhat modified, drafts were offered to the representatives of those governments,²⁹ but these projects likewise failed of consummation.

Up to this time special powers for negotiating and signing each particular treaty had seemed necessary; but now, since there appeared to be an inclination among the European governments generally to enter into treaties of amity and commerce with the United States, Congress issued on October 29, 1783, general instructions to the ministers at Versailles authorizing them to negotiate and sign treaties with all the powers with which treaties were desirable, and on May 7, 1784, adopted a new outline for such treaties.³⁰ On the same day Jefferson was joined to Adams and Franklin in the mission. This time no attempt was made to draw up a plan of treaties in specific form, but only fundamental provisions were laid down. Nevertheless the old plan continued to do duty, or what was essentially the same thing, one of the treaties already concluded was used as a model. Already, in March, 1784, Adams had begun negotia-

²⁶ *Ibid.*, p. 480.

²⁷ *Ibid.*, p. 580. The text of the plan is in *ibid.*, pp. 588-591.

²⁸ *Ibid.*, p. 721.

²⁹ See the reports of the commissioners to Congress, November 11 and December 15, 1784 (*Diplomatic Correspondence of the United States of America from the Signing of the Treaty of Peace*, I. 534, 544); Jefferson to Walterstorff, February 3, 1785 (*ibid.*, pp. 547-549), and *cf. post*, pp. 584, 585.

³⁰ See *Secret Journals* (Foreign Affairs), October 29, 1783, March 26, April 1, 2, May 7, and 11, 1784.

tions with the Prussian minister, who had "agreed to take our treaty with Sweden for a model, reserving to each party the right of suggesting such alterations as shall appear to him convenient".³¹

Shortly afterward that minister submitted to Adams a counter-project prepared at the Prussian court, retaining for the most part both the matter and the language of the Swedish treaty but introducing a few modifications.³² Upon this Adams made some suggestions, and on June 7 wrote to the President of Congress that the treaty was ready for signature, unless Congress had other alterations to propose.³³ In August Jefferson arrived in Paris bringing the new commission and instructions, and the three commissioners now proceeded toward the perfection of the treaty.³⁴ The new instructions involved some additional provisions, and these were accordingly incorporated in a new project, which was transmitted to the Prussian minister on November 10.³⁵ Although negotiations were drawn out during several months with observations and counter-observations³⁶ the treaty which was finally concluded in July, 1785, was substantially this project with a few additions and omissions.³⁷

This project is of especial interest because it was transmitted in its identical form, *mutatis mutandis*, to the courts of Portugal, Denmark, and Tuscany,³⁸ and with slight alterations to the representative of the Austrian government.³⁹ A part of it was also proposed as a treaty of commerce with Great Britain,⁴⁰ and in a con-

³¹ Adams to the President of Congress, March 27, 1784. *Dipl. Corr. U. S. A.*, 1783-1789, I. 438. The same letter is in Wharton, *Dipl. Corr.*, VI. 782, with date March 2. See also Adams to the President of Congress, March 9 (*Dipl. Corr. U. S. A.*, I. 435), and Thulemeier to Adams, March 14 (*ibid.*, p. 439).

³² The counter-project is in *Dipl. Corr. U. S. A.*, I. 443-453, inclosed in a letter of Adams to the President of Congress, April 10.

³³ *Ibid.*, p. 458. Adams's observations on the project are found at pp. 459-463. See also Adams to the President of Congress, May 13 (*ibid.*, p. 455).

³⁴ See the commissioners to Thulemeier, September 9. *Ibid.*, p. 505.

³⁵ *Ibid.*, p. 531. The proposed treaty is in *ibid.*, pp. 520-529.

³⁶ See, especially, Thulemeier to the commissioners, December 10, 1784 (*ibid.*, p. 545); the commissioners to Thulemeier, January 21, 1785 (*ibid.*, p. 546); Thulemeier to the commissioners, January 24 (*ibid.*, p. 553); the commissioners to Thulemeier, March 14 (*ibid.*, p. 554); Thulemeier to the commissioners, May 3 (*ibid.*, p. 578). Further correspondence concerning the treaty is found *ibid.*, pp. 580-600.

³⁷ The treaty was signed by Franklin on July 9, 1785, but the Prussian minister did not sign it until September 10. The treaty is found in the *Jour. Cont. Cong.*, under May 17, 1786 (*Secret Journals*, III. 25-43), and in *Treaties, Conventions*, etc. (ed. Malloy), II. 1477-1486.

³⁸ See the reports of the commissioners to Congress, November 11 and December 15, 1784. *Dipl. Corr. U. S. A.*, I. 534, 544.

³⁹ See *post*, p. 586.

⁴⁰ Commissioners to Caermarthen, April 4, 1786. *Dipl. Corr. U. S. A.*, I. 602-604.

siderably modified form it was offered to the Emperor of Morocco.⁴¹ It has already been noted that the treaties with Portugal and Denmark were not in the end consummated, and the same is true of the treaty with Tuscany, although there appeared for a time fair prospects that the negotiations in all three instances would meet with ultimate success.⁴²

The case of Tuscany deserves a further word. The project was transmitted on December 9, 1784,⁴³ to Favi, the Tuscan chargé d'affaires in Paris, who in turn transmitted it to his court. On August 26, 1785, Favi wrote to the commissioners that the grand duke had determined to accept the treaty, but that there were some amendments, which, though not changing the substance of the convention, were rendered indispensable by local circumstances and the regulations of the country.⁴⁴ The amendments proposed by the Tuscan court have not been found, but the observations of the commissioners upon them essentially reveal what the proposed alterations were.⁴⁵

It has been seen that William Lee's efforts to negotiate a treaty with Austria in 1777 came to naught. Five years later he received indirect intimations that the Emperor was now desirous of entering into a treaty with the United States,⁴⁶ yet it was not until a year later that the Imperial government pressed its intimations upon the American ministers. Even then the suggestions were still indirect, for the Emperor desired that the first overtures should come from the side of the United States.⁴⁷ On July 13, 1783, Adams wrote to Livingston that the Emperor had caused it to be intimated in various ways that he wished to form a treaty,⁴⁸ and on July 22 Franklin wrote to Livingston: "I have it also from a good hand at the court of Vienna that the emperor is desirous of

⁴¹ October, 1785. *Ibid.*, pp. 666-673. The treaty which was concluded with Morocco (January, 1787) differs still further from the project. The treaty is in *Jour. Cont. Cong.*, July 18, 1787, and in *Treaties, Conventions, etc.* (ed. Malloy), I. 1206-1212.

⁴² See, especially, Jefferson to Jay, October 11, 1785, April 23, May 12, and August 13, 1786. *Dipl. Corr. U. S. A.*, I. 652, 725, 731, 804.

⁴³ *Ibid.*, p. 541.

⁴⁴ *Ibid.*, p. 578.

⁴⁵ *Ibid.*, pp. 583-591, accompanying a letter of the commissioners to Favi, June 8, 1785.

⁴⁶ William Lee to the Committee of Foreign Affairs, March 31, 1782. Wharton, *Dipl. Corr.*, V. 291.

⁴⁷ See Schlitter, *Die Berichte*, pp. 231-234.

⁴⁸ Wharton, *Dipl. Corr.*, VI. 538. Cf. Adams to Livingston, July 3, 7. *Ibid.*, pp. 510, 517.

establishing a commerce with us from Trieste, as well as Flanders, and would make a treaty with us if proposed to him."⁴⁹

What were the preliminary conferences between Franklin and the Austrian ambassador the correspondence does not reveal, although it is evident that definite negotiations awaited powers and instructions from Congress. This step was taken by Congress on October 29, 1783, and an addition to the instructions was adopted on May 7, 1784. Accordingly Franklin wrote to the Austrian ambassador, the Comte de Mercy-Argenteau, on July 30 that upon the arrival of Jefferson the commissioners would be ready to enter into a treaty with His Imperial Majesty.⁵⁰ Mercy-Argenteau at once communicated with his government⁵¹ and on September 28 announced the Emperor's assent to the negotiation. "When the particulars respecting this matter shall be sent to me", he added, "I shall instantly communicate them."⁵² There was no further word upon the subject for considerably more than a year. The resumption of negotiations is described by Jefferson in a letter to Jay, January 27, 1786.⁵³ On May 12 he wrote to Jay that the ambassador had asked for propositions and that he had given him a draft, "which was a copy of what we had originally proposed to Denmark, with such alterations as had occurred and been approved in our negotiations with Prussia, Tuscany, and Portugal".⁵⁴ The Austrian government entered earnestly into the consideration of the project,⁵⁵ but meanwhile Jefferson's commission to sign such a treaty had expired,⁵⁶ and Congress failed to renew it.

⁴⁹ Franklin to Livingston, July 22-25. Wharton, *Dipl. Corr.*, VI. 580-591. The "good hand" was doubtless Jan Ingenhousz. See Franklin to Ingenhousz, May 16, 1783. Smyth, *Writings of Benjamin Franklin*, IX. 41.

⁵⁰ Wharton, *Dipl. Corr.*, VI. 817. Cf. Franklin to Thomson, November 11. *Ibid.*, p. 829.

⁵¹ Mercy-Argenteau to Franklin, July 30. *Ibid.*, p. 817.

⁵² *Ibid.*, p. 820.

⁵³ *Dipl. Corr. U. S. A.*, I. 713; *The Writings of Thomas Jefferson*, memorial edition, V. 265; cf. Jefferson to Adams, January 12 (*ibid.*, p. 248); Jefferson to Gerry, May 7 (*ibid.*, p. 315); and Jefferson to Monroe, May 10 (*ibid.*, pp. 325-333).

⁵⁴ *Ibid.*, pp. 335-338; *Dipl. Corr. U. S. A.*, I. 731.

⁵⁵ This is evidenced by the proposition of Kaunitz to the Emperor (*ante*, p. 576). It will be observed that this proposition bears a date anterior by some weeks to the time when Jefferson's project was submitted. See also Schlitter, *Die Berichte*, pp. 235-238, and Jefferson to Jay, September 26, 1786 (*Writings*, memorial edition, V. 424).

⁵⁶ The commission, which bore date of May 12, 1784, was to be in force not exceeding two years. See *Jour. Cont. Cong.*, May 7, 11, 1784 (*Secret Journals*, III. 489, 498); cf. Jay to Jefferson, October 27, 1786 (*Dipl. Corr.*, I. 794); Jefferson to Dumas, October 14, 1787 (*Writings*, memorial edition, VI. 341). Jefferson wrote to John Quincy Adams, March 30, 1826: "Austria soon after became desirous of a treaty with us, and her ambassador pressed it often upon me; but our commerce with her being no object, I evaded her repeated invitations." *Ibid.*, XVI. 160.

The draft which Professor Van Houtte has brought to light is undoubtedly that which Jefferson submitted to the Austrian ambassador, and the majority of its articles are identical with the corresponding articles of the Prussian treaty. The principal differences are the following: Articles II. and III. of the Austrian draft omit the clause found at the end of those articles in the Prussian treaty, "submitting themselves nevertheless", etc. Article V. of the project is much more ample than that incorporated in the Prussian treaty, but is identical with the corresponding article of the draft submitted to the Prussian minister.⁵⁷ Several articles, in fact, which vary from the Prussian treaty follow verbatim the original propositions. Aside from some small variations in article VIII. the last half of that article in the Prussian treaty (beginning "except those established") is omitted. The clause in article X. of the Prussian treaty, "and exempt . . . subjects", is not found in the Austrian draft. Article XII. of the Austrian project contains, however, the following clause not found in the treaty: "On the other hand, Enemy Vessels shall make Enemy Goods; insomuch that whatever shall be found in the vessels of an Enemy shall be confiscated without distinction; except such Goods and Merchandize as were put on board such Vessel before the Declaration of War, or within six Months after it, which shall be free." In article XIII. the Prussian treaty enlarged upon the draft submitted to Thulemeier, and the Austrian draft contains this further addition: "Nor shall any such Articles be subject to be taken or delayed in any case, if they be not in greater quantity than may be necessary for the use of the ship or of the Persons in it. And to remove all doubt respecting the Merchandize and Effects which shall be subject to the Arrangements in this Article, it is declared that they are the following, Canons (etc., as enumerated in the Articles of the armed Neutrality)." Article XX. of the Austrian project adds this clause: "unless bound thereto by some treaty now existing". Finally article XXI. omits from section 4 of the treaty the clause, "but by the judicature of the place into which the prize shall have been conducted".

EDMUND C. BURNETT.

⁵⁷ See *Dipl. Corr. U. S. A.*, I. 520, and cf. *ante*, p. 584.

REVIEWS OF BOOKS

GENERAL BOOKS AND BOOKS OF ANCIENT HISTORY

Expansion of Races. By CHARLES EDWARD WOODRUFF, A.M., M.D. (New York: Rebman Company. Pp. xi, 405.)

TEN years ago sociological studies were written around the theory that traits acquired within the lifetime of the individual by education and environment could be passed into the germ-plasm and consequently inherited. It is encouraging to-day to find books like the present written around modern biological beliefs—pure inheritance of variations arising within the germ-plasm; repetition of types from one generation to another as long as the environment remains unchanged; adaptation the prime necessity; and natural selection the great deciding force, the last court of appeal. Dr. Woodruff's central position is strong. The same may be said of the three main theories which run through his work, that there is a universal tendency to supersaturation of population, that the "Aryan" is very superior to the "Non-Aryan" in natural ability, and that the white man is not at all suited to life in the tropics. The opening chapters give cumulative evidence that overpopulation is a universal phenomenon in human as well as in animal life, in the past as well as in the present, in the savage as well as in the civilized state. This does not, to the reviewer, appear to lead to an explanation why some races have migrated more than others, for the very reason of its universality. These opening chapters are valuable, however, for calling attention vividly by means of a wealth of illustration to the folly of much of the misguided charity of the present day, which only makes the problem harder for the next generation. The sooner we face these facts the better it will be for all concerned. Eugenics is the only solution.

Dr. Woodruff's superior man is always an "Aryan". He derives him not from Asia but from the northwestern part of Europe just south of the retreating ice-cap, essentially a Scandinavian man. He dispels the theory of Asiatic origin with too little discussion, and almost ignores the anthropological sceptics who deny the entire existence of an "Aryan" race. Nevertheless, there certainly is to-day a clearly defined type of man, tall, light-haired, blue-eyed, and energetic, and this appears to be what Dr. Woodruff is writing about. He believes this man migrated southward as a conqueror into southern Europe, southern Asia, and even Africa, and degenerated under the tropical sun. Before the degeneration set in he built the great Oriental civilizations; made Greece and Rome what they were; wrote the Vedas; and penetrated even as far as China and Japan. This is a plausible and interesting theory, but it is equally possible to derive the Oriental overlords, the great

Pharaohs, aristocrats, and conquerors from the southern people themselves. The essential distinction would be that Dr. Woodruff's theory makes the aristocrat come fully formed as such and begin to degenerate as soon as he reaches his southern home, while the contrary theory would take into account all the forces which are constantly at work towards differentiating man from man within a homogeneous group where wealth is easily obtained. These forces of natural selection, of which marriage selection is perhaps the strongest, tend of themselves to increase with an accelerating ratio the superior end of the social scale at the expense of the inferior. This combined with heredity of talent makes men differ more and more in natural ability wherever there is surplus wealth, family life, legitimacy of descent, marriage selection of the sons of the successful with heiresses, the daughters of the successful.

Thus the northern men may have arrived in the fertile valleys already superior to the existing races whom they conquered but still comparatively homogeneous and undifferentiated and not containing within their ranks any of the great intellectual variations which they afterwards evolved. There may have been intellectual evolution as well as degeneration entirely within the hotter zones. Dr. Woodruff's theories stimulate further historical inquiries. In fact the whole book is more often stimulating and suggestive than conclusive, a fault perhaps inseparably associated with the method of collecting and marshalling researches and opinions in support of a thesis without the aid of any objective or impersonal check to guard against the personal equation. The reviewer believes the main contentions of this book are sound because the biological laws on which it is based have been so scientifically established that the conclusions logically follow. The facts of history have been but little and but recently treated scientifically in their applications to the broad problems of the rise and decay of nations. For this reason as soon as the historical records are appealed to there is usually no way of establishing a proof.

Dozens of questions are suggested in this interesting book the answers to which await the further development of this very field of inquiry which unites the knowledge of biology with that of history.

FREDERICK ADAMS WOODS.

Greek Athletic Sports and Festivals. By E. NORMAN GARDINER, M.A. (London: Macmillan and Company. 1910. Pp. xxiii, 533.)

IN view of the revival of the Olympic games and in considering the discussion which is raging now-a-days about the place of physical culture in education, it is well to turn to the Greeks, who succeeded, for a time at least, in reconciling the demands of body and mind, and see what the spirit of their sports was. From Gardiner's book the general reader cannot fail to learn much about these questions; and although most of the new material has already appeared in the *Journal of Hellenic Studies*,

the specialist also welcomes the book as the only scientific work on the subject in English. Jüthner's invaluable edition of Philostratus, *Ueber Gymnastik*, is also a new book in this field and it is a sign of the value of these two works that they agree so closely. Gardiner, however, rightly differs in believing that professionalism did not exist till the latter half of the fifth century B. C. and that Xenophanes's protest is only against over-athleticism.

The first part gives a history of Greek athletics and festivals from the earliest times to 393 A. D. The second and more technical part deals with the stadium, foot-race, jump and halteres, throwing the discus, the javelin, the pentathlon, wrestling, boxing, the pankration, hippodrome, gymnasium, and palaestra. Here are given facts about the latest excavations in the gymnasiums of Delphi, Priene, Ephesus, and Pergamum, though no mention is made of that found by the Americans at Eretria. In the excellent bibliography which is appended, antiquated editions are sometimes cited and some important titles such as Schneider's *Die Griechische Gymnasien und Palästre* and Van Esveld's *De Balneis Lavationibusque Graecorum* are missing. The reference to Robinson (p. 517) should be to the *American Journal of Archaeology*.

There are several minor errors to mar perfect accuracy, especially in accents of Greek words.¹ Page 53, there are not many pillars of the Heraeum standing and the altar of Zeus we now know to be only two prehistoric houses. Page 111, note 3, Sundwall refutes Keramopoullos in the *Journal International d'Archéologie Numismatique* (1908), pp. 233 ff. Page 119, Paeonius was not an Athenian but from Mende in Thrace. Page 124, for Cleiton-Polycleitus cf. Westermann, *Classical Review* (1905), pp. 323 ff. Page 225, the temple of Nemea dates much later than fifth century B. C. and has more left than three columns. Page 242 needs to be revised in view of Brauchitsch's monograph on Panathenaic vases and of the *American Journal of Archaeology*, XIV. 422 ff. Asteius (373-372 B. C.) is the earliest archon's name on Panathenaic vases. Kosmetes does not occur, since we must read with Wilhelm (*Beiträge*, p. 82) ταμειόντος, not κοσμητέοντος. This fragment is painted and belongs to the last third of the third century B. C., refuting the statement (p. 244) that "the painted vases come to a sudden close at the end of the fourth century." Besides Sikelos and Kittos, we have Chachrylion as vase painter on a Panathenaic vase in Florence. Page 280, read Nicocrates for Niceratus; page 479, Kircher for Kirchner; page 483, κελων. The other misprints are easily corrected. Page 357, there is a Panathenaic vase with similar subject in Berlin. Page 472, r. f. vases begin before 520 and last longer than 440. Page 482, Andocides flourished 540 or 525 B. C.

In a word, although there are several statements which one might

¹ Pp. 9 *bis*, 533, ταυροκαθάψια for ταυροκαθάψια; pp. 71, 531, ἀποβατής for ἀποβάτης; pp. 130 *bis*, 532, ιδιωτής for ιδιώτης; pp. 368, 533, τριάκτηρ for τριακτήρ; pp. 403, 532, μελιχαι for μειλχαι; p. 483, ξυστόν for ξυστός; p. 485, ὀπλόμαχοι for ὀπλομάχοι; p. 532, λευκῶμα for λεύκωμα, ξυσταρχής for ξυστάρχης; p. 533, τριάγμος for τριαγμός.

dispute, of which the limits of this review prevent mention, Gardiner's book marks a great advance in our knowledge of Greek athletics and scholars will now turn to Gardiner and Jüthner and no longer to Krause.

DAVID M. ROBINSON.

The Influence of Wealth in Imperial Rome. By WILLIAM STEARNS DAVIS, Professor of Ancient History, University of Minnesota. (New York: The Macmillan Company. 1910. Pp. xi, 340.)

THE absence of foot-notes and the intention avowed in the preface of Professor Davis's book set the lines which a fair-minded review must follow. It is designed as a popular treatment of the power of money in the Roman Empire. It contains a mass of material gathered, evidently through years of diligent labor, from the standard secondary works in German, French, and English, as well as from ancient literature and inscriptions both Greek and Latin. The style is graceful and will no doubt appeal to the general public.

After a brief and dramatic account of the panic at Rome in 33 B. C., the author treats the following large topics in as many chapters: Political Corruption and High Finance; Commerce, Trade and the Accumulation of Wealth; Expenditure of Wealth; Slaves, Freedmen and Plebeians; Marriage, Divorce and Childlessness; Some Reasons Why the Roman Empire Fell. Professor Davis is undoubtedly at his best in the strictly narrative portions of his book. The pages of chapters III. and IV. upon banking, oversea commerce, land travel, debtors and spendthrifts, and like topics make interesting and profitable reading. Sometimes, however, the impression is vague, as though the writer had not hammered at his material until the many details were jostled each into its proper niche. A more strictly chronological arrangement would sometimes have made the development clearer. Since the book is not a "critical compendium for the advanced student" the impression should be clearly incised. Confusion, however, is apparent in the topic upon the plundering of the provinces (pp. 16 ff.). First comes the generalization that the attitude towards the provinces, starting with the incorporation of Sicily, was one of ruthless exploitation. A maxim of the Emperor Tiberius follows this, then a mention of Varus and his venality in Syria. The next paragraph deals with legislation of the years 198-149 B. C., to meet the increasing greed of the governors. The paragraph which follows gives a more connected survey from the Diadochi to the Agrippas in Palestine. The movement is too kaleidoscopic. On page 147 the reader is at one moment settling barbarians on the imperial domains with Marcus Aurelius, at the next discussing plebiscita of 218 B. C.

In general, however, the author and the book deserve praise for their good qualities in narration. The same cannot be said of the interpretation of the assembled data. The point of view expressed in the title of the book seems to be its bane. The very massing of the material from this standpoint results in a massing of dark pigment upon a gloomy

canvas. The general color-scheme cannot be relieved successfully by the occasional blotches of light contributed by such discussions as that of the "benefactions of the rich" or "happier marriages". The moralistic rather than the economic attitude is the prevailing one. The total impression, a false one, in the judgment of the reviewer, although it is the traditional one, is conveyed in the last paragraph of the book. The Roman Empire "taught its prosaic commercialism to all its provinces. . . . Its citizens served Mammon in the place of God with more than usual consistency. The power they worshipped carried them a certain way—then delivered them over to their own rottenness and to the resistless enemy." In fact the title of the book is a misnomer. For there are many topics such as those upon the education of the lower classes and upon the Roman guilds (pp. 228-229 ff.) which have little connection with the subject indicated by the title.

Should not the organized commercialism of the empire be handled, not as something black and wrong, but as the necessary economic basis for the myriad activities of that great empire? A thorough assimilation of Eduard Meyer's point of view in his sketch of the *Wirtschaftliche Entwicklung des Altertums* would have modified Professor Davis's views upon the "social stigma" attaching to manual labor, which is an idea set by ancient academic treatises. The work of Gummerus in the fifth supplement of *Klio* leads to the conclusion that it was exactly the small farmer, at least in Italy, who was *not* "almost economically independent".

The last chapter—Some Reasons Why the Roman Empire Fell—is the weakest portion of the work. One cannot seriously consider the deaths in gladiatorial combats as an appreciable drain upon the population of the empire (p. 327). It is futile to blame the ancients because they did not make physical inventions, and confound the barbarians "by learning how to combine sulphur, nitre and charcoal". The author's weakness in interpretation of economic material and grasp of economic problems is most apparent in this chapter. Had Professor Davis confined himself to the lesser task of a series of pictures out of the economic and social life of the empire, the weakness would not have been so fundamental.

W. L. WESTERMANN.

The Roman Empire: Essays on the Constitutional History from the Accession of Domitian (81 A. D.) to the Retirement of Nicephorus III. (1081 A. D.). By F. W. BUSSELL, Fellow and Tutor of Brasenose College, Oxford, Rector of Sizeland. Volumes I. and II. (London and New York: Longmans, Green, and Company. 1910. Pp. xiv, 402; xxiii, 521.)

"THE purpose of the following essays, written for the use of the general reader and modern politician, is to add a modest contribution

to the interpretation of the imperial system." In the author's opinion the study of history is "a remedy against the hasty opportunism of amateurs who know only the surface of their own age and none of the hidden causes that have produced it". Those who limit themselves to recent times operate in too narrow a field to be able to discover its general characteristics and tendencies; and it is mere folly to imagine that in the past half-century the world has so improved as to be able to derive no instruction from the study of the Roman Empire. In fact, he continues, remarkably striking parallels can be drawn between the political and social conditions of the world to-day and those of the earlier centuries of our era; and the comparisons do not always redound to the glory of the present. From the author's point of view the principate came into being because the people did not want to govern themselves. The *princeps* did not construct the imperial system irresponsibly but as a representative of the popular will, silently though none the less forcibly expressed. His rule was pacific and parental. He was never "intimidated into the enormity of class legislation", and under him the interests of the people were better protected, Mr. Bussell declares, than they are now under a party government, whose perpetual condition is civil discord and alternate injustice. The growth of absolutism answered to a popular demand. The emperors did not encroach but were invoked. The provinces made no attempt to escape the yoke but regretted the protection when it was withdrawn.

The author's sympathies are all with the *princeps* in his conflict with the senate, in the gradual creation of a centralized monarchy. Domitian systematically followed this policy. Diocletian, embodying in the constitution the tendencies of the previous century of revolution, abolished the idea of delegation and responsibility, and substituted in their stead the sacrosanctity of the monarch and the principle that "the king never dies and can do no wrong." Constantine added the hereditary principle. Thus these emperors created the absolutism of the modern type.

The causes of decline were principally pestilence, the curial system, and slavery. The universal lapse of interest in municipal affairs compelled the emperor to undertake the local administration through a bureaucracy, which he was unable to control. It is the present custom, the author remarks, to denounce the bureaucracy and the excessive taxation of the late empire. But while taking this attitude we should not overlook the fact that the whole tendency of modern states is in these same directions. If many emperors benevolently strove to better the condition of the people by interference in municipal affairs and in the discouragement of local and personal initiative, no different is the aim of present socialism.

Somewhat against his will the author finally admits that Caesarism, though incomparably superior to the modern Parliamentary system, and a potential refuge from the dangerous equilibrium of modern democracy, is not an ideal form of government. Representative and laudable as it

is, "Caesarism, like modern socialism, denies maturity and freedom, and is at once a cause and symptom of decay."

Enough has been said to indicate the spirit and method of the work. It contains more political theory than real history. The author's bias is pronounced and his subjectivity extreme. But he fully appreciates the tentative character of such treatment. The style, thrown off from a warm imagination, has a magnificent sweep, though it is sometimes obscure. Few "politicians" in America will read the work; and of those persons who actually attempt it, many will doubtless be amazed at the author's wholesale arraignment of modern government and society. It is safe to say that his conclusions will not find wide acceptance; yet the amount of truth in his comparison between the Roman world and the present is enough to set the reader a-thinking.

GEORGE WILLIS BOTSFORD.

BOOKS OF MEDIEVAL AND MODERN EUROPEAN HISTORY

Deutsche Geschichte. Von DIETRICH SCHÄFER. Erster Band: *Mittelalter*. Zweiter Band: *Neuzeit*. (Jena: Gustav Fischer. 1910. Pp. ix, 469; x, 505.)

In spite of one or two shortcomings with which we shall deal presently this is by far the most important work covering German history in short compass that has yet seen the light. With a sure hand Schäfer traces the political and religious development of the nation from the earliest times down to the actual present, going into all the ramifications, recoiling before no difficulty, and neglecting no one period. He is independent in his judgments, is always moderate and dispassionate, and gives the interrelation of events in a way that will earn the gratitude of all who seriously busy themselves with the subject. The book is not for beginners and would scarcely be of service to those who have not enjoyed at least the historical training afforded by the German schools.

It is a *tour de force* to crowd the history of eighteen hundred and more years into half that number of pages and no two writers would solve the problem in the same way. Schäfer economizes space by conciseness of style and also by almost entirely eliminating military history. For instance he disposes of the six great battles of the fall of 1813 in thirteen lines and does not even mention by name the battles fought in France in 1814. In this neglect of military details he goes at times too far, as when he fails to mention the defection of the Saxon troops in the midst of the battle of Leipzig, although to that defection French historians ascribe the defeat that drove Napoleon out of Germany. Schäfer is equally Spartan in his neglect of dramatic incidents, referring only casually to the famous throwing out of window that was the beginning of the Thirty Years' War and to the death of Wallenstein.

There are other omissions that will strike many as less pardonable—omissions, indeed, which the author defends in his preface. Economic

history and what we usually call the history of civilization find little place in the book. History is no "struggle for a feeding-place", Schäfer declares. And again: "The author is of the opinion that as far as regards the solving the great questions which have determined the development of our nation and its relations to humanity it is indifferent whether men fought with spear or repeating-rifle, in chain-armor or in uniform; whether they spoke or wrote in gown or in dress-suit, warmed themselves at hearths or at radiators, lived on pork and beans or had their meals prepared by a French cook."

All the same the "struggle for a feeding-place" determined largely the movements of the early tribes and even those of the medieval emperors who had, as Nitzsch puts it, to "graze up their domains" every year because the supplies on which the court subsisted were furnished in kind and not in money. In consequence of Schäfer's attitude we learn quite incidentally at the end of the first volume that Germany has grown rich and prosperous. There is no mention of the trade relations between the Romans and Germans, none of the influence exerted by the Crusades both on German commerce and on German civilization. The Black Death of 1348 is mentioned merely as a horrible happening, and no effort is made to get at the underlying causes of the social unrest at the time of the Reformation.

Where Schäfer excels is in the treatment of religious matters. The organization of the German church by Boniface and the whole question of the struggle between the Empire and the papacy for the right of investiture are dealt with in a masterly manner. It is the same with the relations with the Church before, during, and after the Reformation, and again at the time of the Kulturkampf and of the rise of the Centre party.

A special word must be said for the brilliant chapter on the modern German Empire dealing with all the great problems that have confronted the Reichstag since 1871: the relations with Austria, Russia, and England; the colonial policy; the Chinese war; the growth of social democracy. Schäfer does not refrain from criticism even of those in high places but is never violent or partizan.

It would be a thankless task to attempt to pick flaws here and there in a work so broadly conceived and so carefully executed. The reviewer would merely say that he considers Frederick the Great too leniently handled. Prussia may have had old claims to Brieg, Liegnitz, and Glogau, but there is no evidence to prove that those claims had been so much as mentioned to Austria during the previous half-century. The sudden descent on Silesia and the claiming and holding of that entire province must always seem to an impartial observer an act of unpardonable aggression. Frederick's recently published despatches concerning the partition of Poland, too, show that he and not Catherine was the real instigator of the partition and weaken Schäfer's contention that the anarchy in Poland rendered Prussia's interference a necessity. The

anarchy itself was largely of Frederick's making, and we have his directions to his envoys to give it encouragement and secretly oppose all reforms. In all probability it was at Frederick's suggestion that Austria seized on Zips and precipitated the partition. We know that at the very moment of the seizure Russia was greatly alarmed at the frequency with which envoys passed between Berlin and Vienna and that it was common talk in St. Petersburg that the two courts concerted all their measures in common.

ERNEST F. HENDERSON.

The Scottish Staple in the Netherlands: an Account of the Trade Relations between Scotland and the Low Countries from 1292 till 1676, with a Calendar of Illustrative Documents. By MATTHIJS ROOSEBOOM, M.A., D.Litt. (The Hague: Martinus Nijhoff. 1910. Pp. xiv, 237, ccxlv.)

THAT interest in the economic history of Scotland has been greatly stimulated in recent years is amply shown by the appearance, within a year of each other, of two works on the Scottish Staple. The first, a volume of 453 pages, by Davidson and Gray, has been already noticed in this journal (XV. 122-124). The volume before us, therefore, naturally arouses a query as to the value of a second study of the subject at this time. To this Mr. Rooseboom replies by announcing a work radically different both as to method and content. His volume is narrower in scope and more intensive in its treatment, and affords an account of the external vicissitudes of the Scottish Staple which, in point of accuracy and thoroughness of research, easily surpasses any other treatment of the subject. Every move in the relation of the Staple trade with the Low Countries is traced with commendable patience and care by means of documents in a dozen archives, and considerable new light is thrown on the subject.

Thus the interesting petition of the middle of the fourteenth century to Bruges and the city's detailed reply (p. 7, and app. 8 and 9) affords us a starting-point of considerably earlier date than we have had heretofore. A keen critical analysis (pp. 28 ff.) of Haliburton's *Ledger* and of the Dutch chroniclers satisfactorily establishes the view that, instead of the Staple being located at Bruges from 1483 to 1494, it was not fixed at all; that conditions were unsettled even to 1522, trade "fluctuating between Middelburg, Veere, and Bruges", and that the final settlement of the Staple at Veere did not occur until 1541 (p. 65). But, in spite of the many instances where the sources are well worked out, there is at times a plethora of raw material in the text, all of which and much more is again found in the 177 documents of the appendix. Among these, however, are scarcely any emanating from the Staple organization itself. As in the case of the Merchant Adventurers, little is extant.

But this is, from the standpoint of Mr. Rooseboom, not so serious,

for he concerns himself almost exclusively with the external side of the Staple history. The accidental circumstances of its external relations, usually of a purely diplomatic nature, are chronicled in great detail, while very little effort is made to bring out its internal organization and functions, or to articulate its development with the broader economic conditions of the period. This same tendency is seen in the fact that virtually no use is made of parallel developments in England and on the Continent. The English Staple, the Merchant Adventurers, the Hanseatic League, Dutch and even Prussian commercial politics, afford striking points of comparison and contrast with the Scottish institution that would have been very illuminating. Indeed, a little more play of that historical imagination which the author thrusts aside so unkindly in his introductory paragraph, would have added much even to the scholarly value of the work. Incidentally, it may also be noted that the titles in the bibliography appear without date or place of publication, that the view of Veere is of a period later than that of the text, and that occasional misprints like 1687 for 1587 (p. 107) occur.

But, notwithstanding these criticisms, Mr. Rooseboom is to be congratulated, not only for his thorough and patient researches, but also for his distinct contribution to the history of the subject. It is a pleasure also to note that, instead of duplicating in a large measure the work of his predecessors, he has rather strengthened and supplemented it, especially where the Dutch archives were of service to correct or expand the account by Yair.

WILLIAM E. LINGELBACH.

The High Court of Parliament and its Supremacy: an Historical Essay on the Boundaries between Legislation and Adjudication in England. By CHARLES HOWARD MCILWAIN, Thomas Brackett Reed Professor of History and Political Science in Bowdoin College. (New Haven: Yale University Press. 1910. Pp. xix, 409.)

PROBABLY no theme has been written upon more extensively than that of the English Parliament, and yet there are many phases of its history which remain for further investigation and treatment. The present work is a study of Parliament in the light of recent political science, and centres upon the evolution of judicial and legislative functions. In the beginning there was no distinct power of legislation, for the Middle Ages rested upon the fundamental conception that the law should be applied as occasion required, but that it was not to be seriously changed. Without distinctions which to us are "as clear as sunlight", there was at first but one function of government, which was still in the future to be differentiated and defined. Parliament was in fact a court, which differed from other courts only as it was a higher power and interpreted the law with greater latitude. So the early statutes are found to be

mainly of an interpretative or judicial character, while the growth of a legislative power came gradually and with little consciousness of a great transition.

In these statements no claim to originality is made, for the same views are current among various writers of the school of Maitland. It may indeed be considered no longer necessary to argue that in the time of Magna Charta the state was predominantly feudal, and that the national character of early institutions was exaggerated by Freeman. But from these premises the author carries his argument forward into modern times, where the subject has not before been so satisfactorily treated. No doubt the chapters which will be found most valuable are those dealing with the Tudor and Stuart periods, wherein a wide knowledge of the legal and political literature of the time is shown. It was then that the separation of functions began fairly to operate, until by stress of the Puritan Revolution the former judicial supremacy of Parliament was converted into a legislative supremacy. Still both judges and members of Parliament continued to labor under much confusion of thought, while to this day many forms survive in legislatures and courts which can be understood only by reference to the original conceptions of the Middle Ages. What is still more strange, a certain duality of authority is found to persist in the American courts, which continue some of the practices of the seventeenth and eighteenth centuries more extensively than the English courts themselves. Montesquieu's theory of the separation of powers has in fact never been completely carried out.

A point of detail open to criticism is found in regard to the position of the judges in Parliament (pp. 31-37). It seems unnecessary to argue that at first they were of "equal right" with the lords, and that later they became "merely advisers". It is not likely that any two of the estates or groups in Parliament were on the same footing. Sometimes, it is true, the judges are mentioned in the same manner as the lords, while at other times they are spoken of differently (see *Eng. Hist. Rev.*, XXIII. 3-5). In the Council, it is clear, one might be a member "for law cases and not otherwise", and the same thing was probably true of Parliament. Moreover, it is hardly correct to say that in the Council the judges came merely to give their advice "and the nobles followed it or not as they wished". There was in fact already in the fourteenth century somewhat more perception of the difference between legislative and judicial action than the author allows. It may be added that a work which cites so large an array of authorities should present also a complete bibliography.

JAMES F. BALDWIN.

The Servian People, their Past Glory and their Destiny. By Prince LAZAROVICH-HREBELIANOVICH, with the Collaboration of Princess LAZAROVICH-HREBELIANOVICH (ELEANOR CALHOUN). In two volumes. (New York: Charles Scribner's Sons. 1910. Pp. xvi, 742.)

ONE naturally welcomes the appearance of a book that attempts for the first time to present to English readers all sides of Servian life in both past and present. The first volume of this work takes up the geographical features of the lands inhabited by Serbs, economic, social, and religious conditions to-day, and the history of Servian institutions, civilization, literature, and art. The second volume deals with political history.

The execution of the work is less happy than the conception. The arrangement adopted, especially the separation of institutional from political history, involves a great deal of repetition. While the chapter on literature is hardly more than a wearisome catalogue of names, other parts of the book contain rather superfluous matter; one could especially dispense very well with the diffuse surveys of the history of Europe, Asia, and even America, which are scattered through the second volume.

The authors have in general utilized the latest researches of Servian scholars and avoided many of the errors common in Western works. They have, however, been distressingly careless. We are told, for example, on page 437 that "the Servian Ruler, Stephan Nemanya, at the head of a Servian army, finally freed Bulgaria from Byzantine sway", while on page 453 we learn that Nemanya aided the Bulgarians "in every way except by taking the field, which was precluded to him by the situation which arose". Then various doubtful or quite exploded theories are set forth with a great air of assurance; for instance the by no means commonly accepted theories of M. Zaborowski that the Slavs were autochthonous in the Balkan peninsula (pp. 3 ff.). Later we learn that the Slavs, having once got out of the Balkans, began to drift back there even before the Christian era from their seats on the Volga (p. 177)! The derivation of the word *Srb* (Servian) from *Sabor* (pp. 5 and 6) cannot possibly hold water. The statement that the Emperor Justinian was a Slav rests on evidence that has lost all weight since the researches of Bury (p. 430).

But what chiefly mars the book is the tendency to magnify the Servians at the expense of their neighbors and of historic truth, to gloss over the more unpleasant parts of the story, to accept views, however dubious and unsubstantiated, that reflect credit upon the nation, to assert continually the superiority of the Servians in one respect or another to all other peoples. The whole book is one long panegyric in an exalted tone that finally grows irritating. This tendency comes out in such statements as that no "war of greed or gain was ever undertaken by the Serb race" (p. 15), that the foundation of the monastery school of

Manassia was an anticipation by two hundred years of the French Academy (p. 366), that between 1450 and 1700 "all of the greater Turkish Grand Vizirs . . . were of the Serb race" (p. 367. The Kiuprilis, perhaps?). The tendency is most apparent, however, in the account of the great age of the Nemanids. It seems to the present reviewer that the book gives a quite perverted view of the state and society of this age, owing to the attempt to make Servia out a "constitutional monarchy" resting on fundamentally democratic principles, when it is as clear as day that the state was aristocratic to the core, that its so-called "parliaments" were nothing but assemblies of nobles and clergy corresponding to the Magnum Concilium of Western kings, and that the cardinal weakness of this state lay in the concentration of political power and privilege in the hands of the nobility and the extreme degradation of the lower classes. The authors are absolutely wrong in declaring that for such crimes as murder, robbery, theft, etc., nobles and commoners were punished exactly alike; they omit the prime characteristic of the status of the so-called *Meropahs*, namely that this class was bound to the soil; and in regard to the lowest class of bondmen called *Otroki*, it is hardly fair to add to article XLIV. of Dušan's Code the statement, which is not found there, that these people could not be sold (p. 264). The authors are at particular pains to repeat frequently that "there is no document to show any trace of slavery, or that there ever existed in medieval Servia any class of human beings treated as chattels to be bought and sold." Their *pièce de resistance* here is article XXI. of Dušan's Code which provides, they say, that "Whoever sells a Christian shall lose his hand and have his nose slit" (p. 267). It is curious that they have overlooked the most important part of this article, which is really directed only against those who sell Christians to *infidels*. Space forbids adducing further examples of this kind of procedure.

Finally, one is inclined to protest at the extraordinary liberties taken with proper names; so, for instance, we meet the Emperors "Mavrikios", "Manoilo", and "Yoannis V.", the apostle "Method", "Khenghis-Khan", etc. (pp. 266, 447, 480, 342, and 429).

With all its defects the book will be useful if it arouses a wider interest in a heroic and unfortunate nation, and especially if it calls the attention of Western scholars to that curious medieval Servia, which, with its Byzantinized court, administration, and church, and its semi-feudal aristocracy, annual diets, local self-government, jury system, etc., offers so unique an amalgam of Eastern and Western institutions.

R. H. LORD.

The Political History of England. Edited by WILLIAM HUNT, D.Litt., and REGINALD L. POOLE, M.A., LL.D. Volume VI. *The History of England from the Accession of Edward VI. to the Death of Elizabeth (1547-1603).* By A. F. POLLARD, M.A., Fellow of All Souls College, Oxford, Professor of English His-

tory in the University of London. (London: Longmans, Green, and Company. 1910. Pp. xxv, 524.)

THE appearance of the present volume marks the completion of Messrs. Hunt and Poole's *Political History of England* which began to see the light some half a dozen years ago. The comparative tardiness of this last installment is not the fault of the author, for the field was originally offered to another scholar, accepted, and after a long interval declined by him on account of the pressure of other work; so that Professor Pollard was not able to get started on his book until after most of the other volumes of the series had already been put forth. Considering the disadvantages under which he has labored, he has produced an excellent piece of work. Though a recognized master of the entire Tudor period, the earlier rather than the later half of it has been his special *métier* hitherto. But all the admirable qualities which have characterized his monographs on the Henrician and Edwardian periods are fully displayed in the present book as well—wide and accurate learning, sound political judgment, richness of quotation from the sources, and unusual vigor and freshness of style.

Of the 480 pages which form the main part of the work, 93 deal with the reign of Edward VI., 82 with that of Mary, and 305 with that of Elizabeth. The verdicts on Somerset and Northumberland which the author expressed in his first important book ten years ago are but slightly altered here; but one does not feel, as one did before, that the Protector is being exalted by the abasement of the duke. The comparison of Northumberland to Maurice of Saxony has been made before, but is worth repeating. Professor Pollard's sympathy with the Protestant cause does not blind him to the tragedy of the life of Queen Mary, who is rightly described as "the most honest of Tudor rulers", who "so far as she could kept her court and government uncorrupt", "tried to help the poor" and "was compassionate except when her creed was concerned". He steers an admirably straight course between the Scylla of John Foxe and the Charybdis of Miss J. M. Stone.

It is safe to conjecture that the author has been seriously hampered in his treatment of the period of Elizabeth by the regulations and limitations of the series to which his book belongs. These demand that he confine himself chiefly to narrative and political history, a fact which those who are disposed to quarrel with his presentation of the reign of the last Tudor will do well to bear in mind. No two scholars will ever see the Elizabethan period from the same angle or in the same way; but all who have dealt with it will readily admit the many-sidedness of its interest, and no account of it which fails to take cognizance of this primarily important characteristic will ever attain universal approval. Professor Pollard has been estopped from doing this, and the latter part of his book necessarily suffers in consequence. Up to 1588, when foreign diplomacy and domestic intrigue occupy the centre of the stage, the defect is not serious; but the treatment of the last fifteen years of

the reign, when religious, social, literary, and economic currents blend and cross in inextricable confusion, is far less satisfying. There is much more to be told (and we feel certain that Professor Pollard could have told it well, and would have enjoyed telling it, had space permitted him) before the picture can be regarded as complete. Even the high standard of the narrative history is not quite maintained at the end. It is perhaps graceless to complain of a book because of what it leaves out, but it is difficult to justify the absence of such names as Valentine Dale and Alberico Gentile from a book which is so full of international politics as is this, and the omission of the latter is particularly inexplicable in the work of a Fellow of All Souls.

As is the case with everything else that he has produced, the latest work of Professor Pollard is remarkable for accuracy of detail. One amusing misprint occurs on page 391—Waldorf instead of Waldburg for the apostate Archbishop of Cologne; to American minds at least it will be vividly suggestive of the boundless opulence resulting from conversion to Protestantism and the accompanying practice of secularization. The bibliography is not at all points worthy of the standard set by the rest of the work; as was the case with the curate's egg—"Parts of it are very good." It is difficult to resist the conclusion that those which are not, were the work of a less experienced scholar than Professor Pollard. The inclusion of Stanihurst's *De Rebus in Hibernia Gestis*, which stops with the reign of John Lackland, is a case in point.

We cannot take leave of this excellent volume without expressing our admiration of the series of which it forms a part. Necessarily uneven, as all collaborate enterprises are, it has never failed to be adequate, and at its best is absolutely first-rate. Authors and editors are to be congratulated on the successful completion of their work.

ROGER BIGELOW MERRIMAN.

Seven Great Statesmen in the Warfare of Humanity with Unreason.

By ANDREW DICKSON WHITE, LL.D., L.H.D., Ph.D., D.C.L.,
late President and Professor of History at Cornell University.
(New York: The Century Company. 1910. Pp. xi, 552.)

THE first president of the American Historical Association has given in this volume a new proof of his wide and scholarly interest and of his powers of vigorous historical exposition. Seven great men in the history of human thought and action—Sarpi, Grotius, Thomasius, Turgot, Stein, Cavour, and Bismarck—are singled out by Dr. White who believes with Carlyle that such men are the real makers of history. Certainly when it concerns "the warfare of humanity with unreason" the mob, the *Janhagel*, appears as embodied unreason, a stumbling Cyclops whose one eye sees but dimly the leader's footprints.

Taken as a whole this volume is a valuable addition to the literature in English on continental European history. Each essay is more than a

summary of the subject's biography. It is an estimate of his significance to universal history from the standpoint indicated in the title. If any chapters are to be singled out for special commendation, they should be the first three and more especially the studies of Sarpi and Thomasius. Here we have two essays which are the best thing in any language within the same compass on two great leaders who await the tardy justice of adequate biographies. Indeed Dr. White's essays on these men and on Grotius are clearly the fruits of long interest and of studies that would have qualified him beyond any other English-speaking scholar to write such biographies. Not only has he compressed great learning into single chapters on these three but the author's sympathetic spirit has reached the hand of fellowship across the centuries. So vital is the presentation that the reader feels that if living to-day this trio would found universities, attend Hague conferences, and write new volumes of the *Warfare of Science with Theology*. The men whom Dr. White has selected had a message so profound that it speaks the language of generations to come and new significance is given to Schmoller's dictum that "the broadest efficiency of great men begins after their death."

I cannot, even in this brief review, bring myself to pass on without an expression of gratitude for such a worthy introduction as Dr. White has given Thomasius to students and readers who have not especially concerned themselves with German history in the eighteenth century. Great as are his services in the warfare against superstition, in the history of journalism and its relations to the formation of public opinion, in the development of better university teaching and nobler academic ideals, Thomasius, standing between Leibnitz and Kant, has been too much obscured. Where they only thought and theorized, he acted, for what he thought had hands and feet. Frederick the Great said of him that if old women in Germany could die in peace they owed it to Thomasius. Dr. White has shown not only his place in the warfare against the last remnants of the belief in witchcraft but his wider significance in the struggle against the theological and academic narrowness of Germany in the first half of the eighteenth century.

The first three essays justify the title of the book. Those on Turgot and Stein are excellent surveys, prepared, it would seem, on the basis of the author's earlier studies in the period in which his teaching interested him. Both men are significant but neither dominated his age nor can their relation to the present be as yet fully revealed.

The names of Cavour and Bismarck are so distinctly connected with our own age and political interests that it will take a longer perspective than we yet have to see how they fall in line with Sarpi, Grotius, and Thomasius. These essays are, however, excellent summaries. The one hundred and twenty-five pages on Bismarck deserve a place among the brief biographies of the founder of the German Empire.

As is natural for one who starts with Carlyle's view of the hero's place in history, Dr. White makes short shrift of the men who did not embody a great idea or dominate an age. In each or every essay the

qualified reader will find occasion for dissent and on every page stimulation and suggestion.—The author's commendable restraint in the use of foot-notes errs on the side of two few rather than too many.

GUY STANTON FORD.

The Constitution and Finance of English, Scottish, and Irish Joint-Stock Companies to 1720. By WILLIAM ROBERT SCOTT, M.A., D.Phil., Litt.D., Lecturer in Political Economy in the University of St. Andrews. Volume II. *Companies for Foreign Trade, Colonization, Fishing, and Mining.* (Cambridge: University Press. 1910. Pp. x, 504.)

IN this important book Dr. Scott, profiting by his previous training in active business, has brought research, judgment, and restraint to produce a result which is now shown in simple, almost severe fashion. "Through technical reasons, connected with the printing of this book, the second volume" is unfortunately issued before the first; and this does not make it the easier for the reviewer, since volume I. "will record the general development of the joint-stock system in Great Britain and Ireland up to 1720", thus apparently dealing with a large number of varied external forces which influenced the growth of the system as a whole. Certainly volume II. will be of interest to students of American colonial history who have recently profited by the work of Professors Osgood and Andrews and Dr. Beer. But a larger field is here involved. Already the history of the regulated company has been particularly exploited by Arup through his treatment of the Levant Company in *Studier i Engelsk og Tysk Handels Historie*. Now Dr. Scott in his book on joint-stock companies becomes the special historian of the second form of modern business organization. As such his book deals in turn with companies formed for (a) foreign trade, including for example Africa, Russia, the East Indies, and Hudson Bay; (b) colonization, including, therefore, the American companies of various latitudes, the companies for plantation in Ireland, and those for colonization of lands in England reclaimed by drainage; (c) companies for the development of the fishing-trade; (d) those engaged in "extractive industries", such as mining, the smelting of iron, etc.; (e) miscellaneous companies for the recovery of sunken treasure and for the draining of mines, etc. Here clearly, therefore, is a scope which will invite many interests.

Then as to materials, taking only three illustrations and those but briefly and in part. First in the case of the Virginia Company of London we find significantly that as a student of financial operations Dr. Scott makes the following divisions: (a) the first Virginia Company to 1618; (b) the Somers Islands Company to 1618; (c) both companies, 1618-1625; and (d) the Somers Islands Company, 1625-1684. The material used includes the usual relations of voyages, selections from Alexander Brown's works, Hakluyt Society publications, Force's *Tracts*, the printed

records of the company, Lefroy, the Manchester Manuscripts, the Ferrar Papers, and here and there special additional material from the Record Office and British Museum, which, however, taken as a whole do not in the main go beyond the sources already utilized by other students of American colonial history. A similar analysis might be repeated for the East India Company, save that use has been made of some valuable tracts preserved at the British Museum and at the Bodleian which have not hitherto been utilized; a more careful search of manuscript court books has been made and some additional manuscripts at the museum have been cited. In general, additional material has been here brought forward. In the case of the fishery companies the *Calendars of State Papers* and valuable pamphlet material have supplied the chief sources. Here, therefore, as a whole is a painstaking process, marked by a few discoveries, without the addition of material which will radically alter our views as to the general history of any of the companies hitherto well known. The basis of comparison afforded, however, is of great value.

Lastly follows the distinctive method and purpose of the book which should win for it a special place in the literature of economic history. Throughout, the historian of a commercial organization is at work. The intricate and often doubtful records of buried accountants are analyzed and enlivened, to be given in almost suspiciously clear and tabular fashion as the explanation of given policies or to illustrate the conditions and results of complicated effort. To touch within the limits of this notice even one of the many detailed questions herein so often involved might be unfair. Until the first volume appears the student can well use Dr. Scott's book while he awaits the explanation of some matters which at present may perplex him. The style of the annalist does not lend itself to many digressions. Indeed the wealth of fact here compressed must have strained the patience of both writer and publishers. But the consulting student will profit by the excellent index.

ALFRED L. P. DENNIS.

The English Factories in India, 1630-1633: a Calendar of Documents in the India Office, Bombay Record Office, etc. By WILLIAM FOSTER. (Oxford: Clarendon Press. 1910. Pp. xl, 354.)

IN this volume a further installment of about 320 valuable documents relating to the operations and interests of the London East India Company becomes more available for students who are unable to search the manuscript records and useful to those who are. The India Office collections, including the "Original Correspondence" series supply about three-fourths of the material utilized. But a new source is drawn upon for the first time in this set of calendars, namely volume I. of the "Surat Factory Outward Letter Book", preserved at the Bombay Record Office. It is "the oldest volume of English records now extant" in India. Mr.

G. W. Forrest, the editor of *Selections from the Letters, etc., preserved in the Bombay Secretariat: Home Series*, used five of the letters in this set; but here about seventy are abstracted. Nevertheless it should be noted that the material drawn from the "Original Correspondence" series at the India Office and from the "East Indies" series at the Public Record Office, had been previously calendared by Mr. Noel Sainsbury. Here and on the whole fortunately a calendar of these documents is given on a new system "in which verbatim quotation is freely used". In general the volume preserves the high standard set by its predecessors. Obviously, however, only a few notes as to the character of the documents are here possible.

First the records are invaluable to the student of Indian economic history, for not only are the problems, methods, and activities of foreign merchants exhibited, but their relation to the productive economy of India is shown. And in this connection the influence of famine in India on the life of the people and on European commerce is gruesomely illustrated by the records of 1630. Contrary to the fancies of present-day Indian agitators famine was a grim reality centuries before Nationalist Congresses were thought of, before the British were more than mere beggars for permission to live and trade in India. Thus in 1630 from "Gujarāt to the Golconda coast the land became one vast charnel-house", till, "the country being wholly dismantled by drought" "life was offered for a loaf, but none would buy; rank was to be sold for a cake, but none cared for it"; and the "poore mechaniques", the workers of India, "perished in the feilds for want of food to sustaine them". But the famine had other and interesting results. It sent English shipping promptly and persistently to the ports of the Persian Gulf, here to find profit and to develop such interest that the correspondence of the English government at home with the Shah of Persia took on additional significance, as it has recently.

But another pregnant interest also steps forward in the seventeenth century. For from Armagaon and Masulipatām northward English factories began more closely to dot the coast of the Bay of Bengal, till later in the century they were to serve as stepping-stones to Calcutta and finally to the rich administration of Bengal itself. In this service of English expansion Richard, the son of Henry Hudson, played a more modest rôle than did his famous father in another hemisphere. But this touch again clearly illustrates the natural relationship, if not companionship, of American and Asiatic adventure to Englishmen of the early seventeenth century.

The contact with Dutch, Portuguese, Danes, and French takes on new color in these years; and indeed attempts are made to establish an *entente* with the Portuguese to provide for more friendly commercial relations and even co-operation in certain fields. Some of these and other matters are also treated in the introduction, where in addition Mr. Foster cites from the "Hague Transcripts" and from printed records of the Dutch

East India Company. Indeed did not the documents themselves invite closer attention a reviewer might easily concoct a notice of the book from the editor's lucid summaries. The next volume of documents, which will deal with a period never reached by Mr. Sainsbury's last volume of calendars, will be even more useful.

ALFRED L. P. DENNIS.

A Calendar of the Court Minutes, etc., of the East India Company, 1640-1643. By ETHEL BRUCE SAINSBURY, with an Introduction and Notes by WILLIAM FOSTER. (Oxford: Clarendon Press. 1909. Pp. xxx, 407.)

THE previous volume in this series was reviewed in this journal, XIII. 856. The concluding entry of December, 1639, in that volume promised the East India Company relief from rival companies and held forth the hope of other favorable prospects. The present volume which appears to be marked by the same admirable methods and sound scholarship which distinguished its predecessor, covers the period from the week when Wentworth was created Earl of Strafford to the month in which Pym died. The documents are with few exceptions calendared from the Court Book of the company. They do not give much direct information regarding the tangled political situation at home. Nevertheless the collection has certain special features; and beside supplying indispensable material for the financial history of the corporation furnishes additional facts regarding the relationship of the company to political parties and to the dominant authority whether that be crown or Parliament.

The student of American affairs will also find certain familiar names and perhaps gain an added notion of the relationship of Western planting with Eastern commerce. Thus it may not be wholly frivolous to note that Lord Say and Sele and Lord Brooke, who fostered the planting of the "Nutmeg State", were themselves interested in the spice-trade. Sir Christopher Clitheroe, the governor of the East India Company in 1640, had been at stormy meetings of the Virginia Company. It is doubtful, however, whether the clerk Fotherbie was the same who had acted as secretary to the Virginia Company and to the Commission of 1624. Indeed, indexes of several previous volumes of calendars confused Henry with his relative, Robert Fotherbie. But in this volume we find the death of Woodall, surgeon to the company, who had been interested in sending cattle to America. Moreover, the same general financial methods were involved in the "magazines" of the American companies and the "joint-stocks", which so occupied the minds of the directors of the East India Company. Again, as on certain occasions some American colonists were to dispute concerning the authority of the crown and of Parliament regarding the affairs of chartered corporations, so we find a similar question involved in the various petitions of the company to the Privy Council and to the House of Commons. Further light on the

affairs of the Long Parliament is also given by the entry of sums of money paid to various members in the endeavor to secure favorable action by Parliament. In general the company was regarded as a Royalist institution. Its artillery was in demand and it suffered at the hands of the Parliamentary party; but in truth its most serious financial difficulties arose largely from the plunderings of the gang of "grafters" who won the ear of King Charles. The story of the famous pepper bargain, however, does not apparently reflect as much discredit upon Charles as some have imagined. The documents are here published (*cf.* also Foster in *Eng. Hist. Rev.*, July, 1904).

Students will await with interest the publication of the next installment of the minutes, for that may touch on the story of Cromwell's interest in the affairs of the company. In any case the present volume is an important contribution to the history of chartered companies in the seventeenth century.

ALFRED L. P. DENNIS.

The House of Lords during the Civil War. By CHARLES HARDING FIRTH, M.A., Regius Professor of Modern History in the University of Oxford. (London and New York: Longmans, Green, and Company. 1910. Pp. xii, 309.)

WITH all the timeliness and far more than the weight of an ordinary political pamphlet Professor Firth's admirable monograph appeared in time to leaven the mass of election literature with its careful and scholarly historical analogies, and it is likely to be the most permanent literary result of the recent contest. It is, indeed, not wholly new, and it is modestly misnamed. A good deal of its content has already appeared in Professor Firth's previous work, and it is obvious that, though he has, of course, gone over the material himself, brought forward new evidence, and shed new light on many parts of the controversy he details, the present study owes much to Gardiner. For it is, in effect, the history not of the House of Lords during the Civil War but during the entire period from the accession of James I. through the first year of Charles II., 1603 to 1661. The first three chapters bring us to 1642, the next four to 1653, and the last chapter (ix.) is devoted wholly to the years 1660-1661. For the purposes of the present controversy in English politics, without doubt the most important parts of the volume are those covering the period between 1640 and 1649 when "every kind of expedient was tried or discussed in order to make the policy of the Upper House conform to that of the Lower—coercion and purgation of the Upper House, restriction of the power of the Crown to create new peers, amalgamation of the two Houses, limitation or abolition of the veto of the Lords, and finally the abolition of the House itself." Next to these in contemporary interest will be those chapters which Professor Firth describes in a pithy and, perhaps, warning sentence of his preface:

"The next ten years proved the drawbacks of a single chamber government and the difficulty of creating a new Second Chamber." One cannot do better in evaluating the book and the revolution it describes than by following the author's own example of copious quotation. The penultimate paragraph contains the gist of the whole matter and nowhere are the political and constitutional results of the long conflict better summed up in such brief compass. "The initiative permanently transferred from one House to the other, the eyes of the nation permanently fixed upon the deliberations of the House of Commons instead of those of the Lords, these were the results of the civil war and the movement which led up to it. They pointed not to the subordination of one House to the other but to the further differentiation of their functions. Hard experience had convinced Englishmen of the necessity of a second chamber, and our modern English theory of the functions of such an institution had been worked out between 1640 and 1660. Even republicans were converted by events to the bicameral theory." Yet, acclaimed as the book will undoubtedly be by the upholders of the ancient order, strongly as it makes for many of their contentions, full as it is of fact and argument which strengthen their cause, one consideration remains. The England of 1911 is, after all, not the England of the Puritan Revolution, the Lords of the twentieth century are not the Lords of the seventeenth, and historic parallels which ignore profound alterations in the balance of society, classes, and economic conditions are, of all material, the most misleading. Into that error Professor Firth does not fall. No treatment could be more detached and scientific than his. And, whatever use may be made of the weapons he offers so impartially to either side, he has only sought and achieved that high and useful service of the historian to society and politics, the impartial portrayal of the past.

W. C. ABBOTT.

Lord Chatham: his Early Life and Connections. By Lord ROSEBERY. (New York and London: Harper and Brothers. 1910. Pp. xii, 481.)

It is now five years since the appearance of von Ruville's exhaustive but unsympathetic biography of William Pitt, and two years since the second centenary of Pitt's birth awakened a new interest, if that were possible, in one who is perhaps the most picturesque and inscrutable figure in modern English history. Should any excuses be needed for presenting a fresh estimate of a famous man at least three may be urged for Lord Rosebery. In the first place, it is highly questionable whether von Ruville with all his pains succeeded in setting before us the real man; secondly, the present writer has had access to new materials and has made use of others not hitherto employed in this connection—notably, Mr. Fortescue's family collection of papers at Dropmore, the papers of Henry Fox at Holland House, a private manuscript written by Pitt's

nephew, Lord Camelford, entitled "Family Characters and Anecdotes", and certain of the Newcastle papers. Finally, the peculiar grace of Lord Rosebery's style makes his biography a charming piece of literature.

The work will rank with Trevelyan's *Early Life of Charles James Fox* as a classic torso. The author leaves Pitt at the very moment when he was entering upon his great work in 1756. His task, he tells us, is "only to describe the struggle and the ascent", not "the consummation and the glory of the career". His reason for thus limiting his subject is that, once embarked upon his wondrous course, Pitt deliberately shrouded himself from view. "In a word", says Lord Rosebery, "after 1756, when this book ends, his public life is conspicuous and familiar. But his inner life after that period will never be known." Regarding it as the true function of the biographer to reveal the real man rather than "to record his course as a statesman, his speeches, his triumphs, his achievements", he refuses to go beyond the point where the real man is lost in his public life.

The book opens with a series of graphic sketches of various of the "strange cockatrice brood of the Pitts", designed to show that there was a "lurking madness" among them which formed a part of William's family heritage. This should be compared with Sir Andrew Clark's dictum that "suppressed gout disordered the whole nervous system, and drove him into a state of mental depression, varying with excitement and equivalent to insanity. But there was no specific brain disease." Some sixty pages are occupied with Pitt's letters to his favorite sister, Anne, a brilliant but eccentric, formidable being. Valuable as "the sole record that we have of the unbending of that grim and stately figure", there are over many for what they reveal. Happily, from the few samples given, Lady Hester Pitt's "icicles" are mostly excluded as being "too proper" to print.

With magic art the author marshals Pitt's contemporaries living before us: Walpole, the man of business and *faux bonhomme*; the whole autolatrous tribe of the Grenvilles; the crapulous but gifted Carteret; the fussy Newcastle, and all the rest. Such a series of lifelike portraits has rarely been brought together in a single volume. New material and suggestive conjectures are brought to bear on the epochs in Pitt's early career, his dismissal from his cornetcy in 1736, his acceptance of subordinate office in 1746, and his entrance into the cabinet ten years later. Even when old ground is trodden fresh lights are thrown on the beaten path. Pitt's oratory has been described for us *ad nauseam*; but even the most jaded reader will welcome the extract from Lord Camelford (pp. 451-452).

There are a few evidences that Lord Rosebery has not always read the literature of his period with the necessary care. He states that "justice, has, perhaps, been scarcely done" to Newcastle, among other things to "his laborious life" and "his disinterestedness about money". The latter has been generally recognized, von Ruville does full justice to

the former, while Leadam is inclined to overestimate his capacity. Again, directing his attention too exclusively to Hervey's strictures, he undertakes a rather supererogatory task in rehabilitating George II., when Burke and Waldegrave in his own century, and Mahon, Lecky, and Trevelyan in the next, were mindful of that monarch's good points. Still again, he is over-sanguine of Prince Charlie's chances of conquering England if he had marched south at once in 1745. The tale of the tyrant and the poppies is older than Tarquin, doubtless a Roman copy of the story of Periander and Thrasybulus of Miletus. The index is excellent, but genealogical tables would be an added help.

It should be stated as a final word, that, while Lord Rosebery makes clear Pitt's faults and defects, the "reckless and irresponsible opposition" of his earlier years, his inconsistencies, his immodest advertisement of his virtues, his love of effect, his readiness to accept favors even from those he opposed, he still leaves us with the impression of a grand heroic figure whose character and achievements overshadow his blemishes.

ARTHUR LYON CROSS.

La Diplomatie Secrète au XVIII^e Siècle: Ses Débuts. Tome III.
Le Secret de Dubois, Cardinal et Premier Ministre. Par ÉMILE
BOURGEOIS, Professeur à l'Université de Paris. (Paris: Armand
Colin. 1910. Pp. 448.)

THIS is the third and last of M. Émile Bourgeois's series of volumes devoted to the beginnings of secret diplomacy in the eighteenth century. The general scope and characteristics of the work have already been described by the present reviewer in volume XIV., pp. 815-817, of this periodical. Taken as a whole, it covers the period from 1716 to 1723. The central figure throughout is the Abbé Dubois, and the author, by the aid of many new and important documents, traces, with firm grasp and eye steadily fixed on the main issue, the tortuous and complicated negotiations conducted by the gifted but unscrupulous intriguer to secure the succession of the Regent and his own advancement to the high positions of cardinal and first minister.

To attain these purely selfish ends the Regent was obliged to violate the promises of peace for France which he had made on coming to power, and to plunge the country into a costly policy, from which the nation at large derived no compensating advantage. During the first four years of this disastrous régime the interests of Hanover and Great Britain were advanced north and south, and Spain, the natural ally of the French, was well-nigh ruined. Then in 1720 when it seemed to suit his purpose Dubois suddenly shifted his policy and allied himself with the Farnese and Spain, again at considerable sacrifice to French interests. He was the creator of that secret policy for personal ends, as opposed to natural or public policy, which passed on as a baneful heritage to

Louis XV., and bore fruit in the bloody and unprofitable War of the Austrian Succession.

As to particulars, while with the aid of "Memorie delle Cose accadute a D. Antonio Cellamare", preserved in the British Museum, the author comes to a conclusion concerning the Cellamare plot quite at variance with Baudrillart, evidently General Piépape's *La Duchesse du Maine* came out too late for him to consider it. He also corrects Baudrillart in one or two other places, and punctures a few more of St. Simon's misstatements. In his hostility to Dubois, however, he is, it would seem, rather over-favorable to Law. On the other hand, he puts a stigma on Berwick not usually noted (p. 61). References to Francesco Farnese sometimes as the father, sometimes as the uncle of the termagant queen of Philip V. are confusing. He was both her uncle and her stepfather. As in the first volume, M. Bourgeois's footing is not always secure on English ground. For example, one would like his authority for the statement that Great Britain was entitled to send two ships a year to Spanish America by the Asiento (p. 8). Stanhope's and Sunderland's motives for introducing the celebrated Peerage Bill of 1719 are presented in a somewhat novel form, while it is hardly enough to say that the Scots were bribed with nine new peerages; they were to have twenty-five hereditary, in place of sixteen elective, peers (p. 59). It is now generally accepted that the Countess of Darlington was the half-sister of George I., not his mistress (p. 88). The South Sea Bubble did not ruin the Whig party but only the faction in power. Charles Stanhope was Secretary to the Treasury and not "treasurer of the exchequer", and Sunderland, while retaining the favor of George I., had to resign the office of first Lord of the Treasury (p. 267). It is not according to usage to speak of the Duchess of Kendall as "Lady" Kendall, while Pulteney was not created Earl of Bath till 1742 (p. 351). An analytical table of contents does not make up for an index. But most of these points are not of great moment, and we are indebted to M. Bourgeois for a contribution to the diplomacy of the eighteenth century which promises to be definitive.

ARTHUR LYON CROSS.

Weltgeschichte seit der Völkerwanderung. Von THEODOR LINDNER, Professor an der Universität Halle. Siebenter Band. *Amerika; Europa bis zum Beginn der Französischen Revolution; Die Revolution und die Republik; Napoleon.* (Stuttgart and Berlin: J. G. Cotta. 1910. Pp. vii, 496.)

PROFESSOR LINDNER'S ambitious survey of the world's history since the fourth century goes forward with commendable expedition. In this, the seventh volume, he deals with North and South America from the beginnings of colonization to 1815 and with Europe in the Revolutionary and Napoleonic era. The seventy-one pages on the Americas, covering a

wider field than the first eleven volumes of Hart's *American Nation*, are followed by nine pages on India from the departure of Clive to 1815. Fifty-five pages are devoted to England and western Europe on the eve of the Revolution. Less than one hundred pages are given to France from the closing years of Louis XV. to 1795. The remainder of the volume, some two hundred and thirty pages, deals with Napoleon. The last chapter of this division is an interesting characterization of the personality and significance of Napoleon. The volume concludes with fifteen pages of bibliography and the usual index of names and places.

There can be no question of one man's rewriting the history of the world in an epoch of such tremendous change and within the space limits outlined above. Any attempt to cover so complex an age must depend for its novelty and claim to recognition upon the author's selection of topics, distribution of emphasis, power of synthesis, or his ability to indicate the results of original studies in the turn of a sentence. It must be said with regret that Professor Lindner has failed to give this volume distinction in any of these features. The result is altogether too much like an orthodox compendium of general history, telling too much and teaching too little.

In the survey of American history there are some blunders in names and facts due to haste or carelessness. The bibliography on this section reveals the poverty of the average German library in works on American history. Though it does not signify much in the text, it is encouraging to see in the list of works the names of Henry Adams, Osgood, Trevelyan, and McMaster. Winsor, Tyler, the *American Nation*, the standard series of biographies of statesmen and histories of commonwealths and Larned's bibliography are not even known by name. The interest in this part of the text lies in the attempt to contrast briefly the colonial development on the two American continents, in the emphasis on the religious questions of colonial days, and in the resolution of the pre-Revolutionary *Rechtsfrage* into a *Machtfrage*, two points which a Continental historian, especially a German, would be quick to discern.

The account of Revolutionary and Napoleonic Europe gives the reader fewer of those wide views and interpretative suggestions which are to be found in the earlier volumes. The last chapter, in its characterization of Napoleon as egoism served by genius (the phrase is Taine's) and yet in much that he does a product of historical forces, though not novel, is good. In his estimate of Napoleon's work in Germany, Professor Lindner does full justice to the Corsican as a maker of modern Germany. On controverted points such as the convention of Tauroggen, he presents the older and more generally accepted views. The bibliography has no significance except as an indication of the literature consulted. With three minor exceptions the list contains only secondary accounts. Lumbroso's bibliography is a notable omission.

GUY STANTON FORD.

Les Impôts Directs sous l'Ancien Régime, principalement au XVIII^e Siècle. Par MARCEL MARION, Professeur à la Faculté des Lettres de l'Université de Bordeaux, Correspondant de l'Institut. [Collection de Textes sur l'Histoire des Institutions et des Services Publics de la France Moderne et Contemporaine, publiée sous la Direction de M. Camille Bloch, Inspecteur Général des Bibliothèques et des Archives.] (Paris: Édouard Cornély et Cie. 1910. Pp. 434.)

STUDENTS of the French Revolution should give a warm welcome to this first volume of the collection of texts edited by M. Bloch. The enterprise is happily launched and if the standard of excellence set by M. Marion is maintained throughout the series, we shall have an *instrument de travail* that will make the study of the institutions of France in the eighteenth century both easy and attractive. An excellent volume was to be expected from M. Marion, who had already established an enviable reputation by his works on *Machault d'Amonville* and *L'Impôt sur le Revenu au XVIII^e Siècle*.

The present volume consists of a collection of sources, preceded by a most valuable introduction of about a hundred pages and followed by a bibliography of the manuscript and printed sources, and a select list of the best secondary works on direct taxation in France under the Old Régime. The introduction is a model of condensation and of sound scholarship. It contains four parts, subdivided into nine chapters, and deals with *La Taille*, *La Capitation*, *Le Dixième*, *le Cinquantième* et *les Vingtièmes*—the last three forming one group—and *La Corvée*. The most of the space is given, naturally, to the first and third divisions. The origin, nature, and defects of the taxes are described and a helpful account is given of the various attempts to reform taxation. Of the principal tax, the *taille*, M. Marion says: "Jusqu'à la fin de l'ancien régime devait rester vrai ce mot de Vauban, 'La taille est tombée dans une telle corruption que les anges du ciel ne pourraient pas venir à bout de la corriger ni d'empêcher que les pauvres n'y soient toujours opprimés'." Concerning the attempts of the government to establish equality in taxation, he writes: "Quant à la destruction des exemptions fiscales, il eût fallu pour l'accomplir une énergie dont le pouvoir était totalement dépourvu, et la Révolution seule allait être capable de la faire triompher." His text fully justifies these conclusions.

The collection of texts, occupying nearly three hundred pages, is divided into five parts, four corresponding to the four parts of the introduction, the fifth being devoted to a half-dozen models of tax rolls, a list of the taxes in eight *généralités* in 1787, and the *procès-verbaux des contrôleurs des vingtièmes*. The bulk of the documents is found under the first and third divisions. In the first division, the matter is distributed into six groups: *Actes royaux*, all documents relating to the *taille* emanating from the central government; *arrêts et remontrances*

des cours souveraines, remonstrances of the parliaments, for the most part in opposition to the action of the government; *correspondance administrative*, correspondence of the intendants with the central government and with subordinates; *mémoires et rapports des assemblées provinciales*, documents resulting from the activities of these assemblies in matter of taxation; *cahiers de doléances*, extracts from some of the *cahiers* of 1789; *extraits d'auteurs anciens*, extracts from contemporary works on taxation, consisting of criticisms of the existing taxes and projects of reform. The other divisions have fewer subheads, that on the *Capitation* having but three, but the heads used are always some of the six enumerated. Many of the documents are taken from the archives, namely the Archives Nationales, the Archives Départementales—chiefly of the Gironde, the Seine-Inférieure, the Somme, the Cher, and the Puy-de-Dôme, the Archives Communales, the Archives des Affaires Étrangères, and the manuscript section of the Bibliothèque Nationale, some from printed collections. They are all well chosen and, studied with the introduction, give an insight into the condition of direct taxation in France in the eighteenth century such as can be found in no other single volume with which I am acquainted. M. Marion did not, however, aim to present an account of all of the direct taxes collected in France at this time. His design was, to use his own words: "Résumer ce que l'on sait du fonctionnement des trois grands impôts d'État directs, la taille, la capitation et le vingtième, aux XVIII^e siècle; réunir les textes les plus importants se rapportants à cette histoire; donner quelque idée de ceux dans lesquels il conviendrait d'aller chercher des suppléments d'information, et esquisser rapidement la bibliographie du sujet, tel a été notre seul but." He has given us an ideal source-book.

FRED MORROW FLING.

Histoire de France depuis les Origines jusqu'à la Révolution, publiée sous la Direction de M. ERNEST LAVISSE. Tome IX., Partie I. *Le Règne de Louis XVI. (1774-1789)*. Par H. CARRÉ, Professeur à l'Université de Poitiers, P. SAGNAC, Professeur à l'Université de Lille, et E. LAVISSE, Professeur à l'Université de Paris. (Paris: Hachette et Cie. 1910. Pp. 446.)

THE impression left by the preceding volume of this history that France was suffering chiefly from the blight of what Louis XV. was and from the want of what he could not be, a real king, with a policy held firmly and continuously pursued, is true also of this volume, for somewhat different reasons, because the hapless Louis XVI. differed from his despicable grandfather. Indeed M. Lavissee declares in his concluding chapters that "La cause principale de la ruine de la royauté, ce fût le manque de roi." In another place he says that if the kings from Louis XIV. onward had played their true part, there would still be a throne in France. One of their heavy faults was withdrawal from the tumultuous

world of Paris to Versailles, a fictitious capital, a transformed hunting-lodge, where they became the slaves of a nobility which they held immured within the château. It was the follies and extravagances of an artificial court life, along with the waste of profitless wars, which were sinking the state into the abyss of bankruptcy.

This volume brings to a close the long story of France from the time of the Gauls to the French Revolution. Its final "book" is filled with the conclusions of M. Lavissee upon the reigns of Louis XV. and of Louis XVI. There remains only the index-volume, and the great enterprise, which has become a monument of modern French historical scholarship, will be brought to an end. The body of this volume has been written by M. Carré, the author of the preceding volume. M. Sagnac has contributed a single chapter on the situation immediately before the meeting of the States General at Versailles and on the method of the elections.

Of the general qualities of M. Carré's work it is necessary only to repeat what was said of his other volume. The subject has been treated many times, and yet by a wise emphasis, by a sanity of judgment, as well as by utilizing new material, especially on the economic aspects of the Old Régime, he has succeeded in giving fresh interest to every phase. The section on public relief is new to the general histories of the period. Out of ten titles referred to in the bibliographical note upon this subject seven have been published since 1903.

M. Carré emphasizes a side of Turgot's ministry that has often been forgotten. It appears that Turgot needed to be delivered from his friends as well as from his enemies. His friends crowded into the offices and seemed to think they had taken possession of the state. Their precipitancy reminds one of the behavior of the Constituents fifteen years later. They did not feel that Turgot was going too fast, but urged upon him a more rapid realization of his programme. And this was not their only fault, for they had certain sinecures revived in favor of members of their group.

This volume contributes two or three interesting illustrations of the fact that reforms instituted during the Old Régime survived the changes of the Revolution, or that the Revolution was a period of hurried development rather than an abrupt break with the past. To the work accomplished by St. Germain, minister of war from 1775 to 1777, M. Carré attributes the superiority of the French artillery during the next generation, including the period of the Empire. He also notes that Necker's *régies* were the beginning of the permanent administration of the indirect taxes. Furthermore, the Revolution and the Empire were to preserve the organization of the Ministry of Foreign Affairs created by Vergennes. It is worth remarking in connection with this ministry that Louis XVI. concealed its important negotiations from the queen. M. Carré says the king's comments upon the reports of Vergennes were judicious.

H. E. BOURNE.

Lectures on the French Revolution. By JOHN EMERICH EDWARD DALBERG-ACTON, First Baron ACTON, D.C.L., LL.D., Regius Professor of Modern History in the University of Cambridge. Edited by JOHN NEVILLE FIGGIS, C.R., Litt.D., Honorary Fellow of St. Catharine's College, and REGINALD VERE LAURENCE, M.A., Fellow and Tutor of Trinity College, Cambridge. (London: Macmillan and Company. 1910. Pp. vii, 379.)

THE twenty-two lectures contained in this volume were delivered by Lord Acton at Cambridge, as regius professor of modern history, in the years 1895-1899. "The French Revolution, 1789-1795", the editors tell us, "was in those years one of the special subjects set for the Historical Tripos and this determined the scope of the course." The lectures had no titles; they were supplied by the editors. What we have, then, is a series of lectures delivered to college undergraduates who were preparing themselves for an examination on the French Revolution. They are entertaining, like the light and varied conversation of a gentleman of culture, bearing but little trace of effort in preparation or of research. Even as college lectures, planned to serve as an introduction and guide to the study of the Revolution, one might easily conceive of something better than this series. The lecturer assumes too much knowledge on the part of his audience; often he would be intelligible only to those who knew as much as himself about the subject, and to such persons his lectures would furnish no help. The subject-matter is not well organized, often very important topics are simply touched in passing or are not mentioned. There is too little narrative and too much discussion of aims and views and that often when we can know nothing about what the aims and views really were. There are one or two marked exceptions to this, the flight to Varennes being described in considerable detail, nearly half as much space being allotted to it as to the Legislative Assembly. There is little that is new in the volume and much that is new strikes one as somewhat bizarre. In the chapter on the Heralds of Revolution, for instance, we find three pages devoted to Fénelon and Voltaire is simply mentioned, *en passant*, in a phrase. The chapter on the Influence of America is the newest thing in the book and is well worth reading. Especially interesting is the difference between Burke's earlier and later attitude toward Revolutionary principles. Lord Acton maintains an eminently fair attitude toward the Revolution, but one notes frequently that he is not sufficiently well informed and it is clear that his treatment of an historical question is that of a cultivated, scholarly gentleman and not that of a specialist in history. Incorrect statements of fact are not infrequent, but more numerous still are cases where the fact is stated in such a way as to make clear that the lecturer did not fully understand it, or where he asserts dogmatically some matter that is in doubt and may always remain in doubt. This latter attitude, frequently met with, would seem to indicate that he did not understand fully what historical proof

means. He said of the supposed death of Louis XVII. in the Temple: "Louis Blanc believed that the king had been secretly released. . . . The truth is that he died on June 8, 1795" (p. 338). Numerous are the cases where he states as facts rumors concerning conspiracy, bribery, or intrigue, resting upon such evidence that no careful historian would think of repeating them. Evidently all sources looked alike to Lord Acton and a single source was sufficient to prove the fact. Perhaps the best example of his dilettante attitude toward his subject is found in the appendix, where the editors have brought together such connected fragments of Lord Acton's discussion of the literature of the Revolution as remain. They were generally given "in a conversation class or as an additional lecture". After running over the old histories of the Revolution, giving a general estimate of each, he concluded: "Tocqueville for the origin, Droz and Laboulaye for the decisive period of 1789, Duvergier de Hauranne for all the political thinking, Dareste for the great outline of public events, in peace and war. They amount to no more than five volumes. . . . We can easily read them through; and we shall find that they have made all things clear to us, that we can trust them, and that we have nothing to unlearn" (pp. 359-360). Possibly he could not have done better in 1895 than recommend these five volumes—although it is strange that he did not include Chérest—but what shall we say to the statement that "they have made all things clear to us", and the rest of it? Farther on (p. 372), possibly at a later date, he recommends the volume by Aulard, in the *Histoire Générale*, as "intelligent and instructive beyond all others, and shows the standard that has been reached by a century of study". In dealing, in another place, with the progress in the study of the Revolution, he seems to overlook the part played by the writer of monographs and leaves the impression that the final synthesis of the Revolution can be made directly from the sources by one man, when all of these sources have been published (p. 373). On the whole, although entertaining reading, and marked here and there by cases of what is evidently first-hand study—although one can never be certain, as no evidence is ever cited—these lectures were delivered fifteen years ago and the scientific literature of the subject has grown at such a pace that even had they been worth publishing at the time, they certainly are not worth publishing to-day. We do need a good volume on the Revolution, but it is clear that this is not that volume.

FRED MORROW FLING.

The Life of Napoleon Bonaparte. Revised and enlarged edition. In four volumes. By WILLIAM MILLIGAN SLOANE, Ph.D., L.H.D., LL.D., Professor of History in Columbia University. (New York: Century Company. 1910. Pp. xiii, 457; vii, 467; vii, 425; vii, 527.)

THESE volumes were first published fifteen years ago in an edition

sumptuously illustrated. There were not merely portraits but also reproductions, generally in color, of historical paintings, or of paintings and drawings made expressly for the work. As Professor Sloane intimates in his new preface, between the text and the illustrations there was sometimes a "divergence confusing to serious minds". This and the large cost of such an edition would have been sufficient reason for the preparation of a library edition from which should be omitted all pictures except portraits. It was natural also that Professor Sloane should desire to embody in his work the results of his further investigations. There never was a time when Napoleonic studies have been more active and fruitful. The publication of the works of Masson, Sorel, Aulard, Chuquet, Vandal, and Lanzac de Laborie, to mention only French names, is evidence of this.

Although the new matter in the revised edition has only slightly increased the length of the work, amounting to about one-tenth of the whole, it has materially added to the interest and value. It is chosen so judiciously that its effect is to support with further details the impression left in each instance by the earlier statement. There is no essential change in the interpretation of Napoleon's career. In general the new matter is in the form of an occasional paragraph, its character necessitating little or no alteration in the paragraphs which precede and follow. In a few instances there appears to be a slight conflict of impression between new and older matter, notably in the account of Napoleon's garrison life at Auxonne and in the comments on the strategy at Hohenlinden. Somewhat more attention to the general diplomatic situation is given in the new edition. Illuminating details are also added to the account of the *coup d'état* of Brumaire, to the Provisional Consulate, and the affair of the Duc d'Enghien. Aside from such minor additions there are new chapters on the Continental System and on Napoleon and the United States, the latter apropos of the sale of Louisiana, while in the chapter on St. Helena there is an extended account of the growth of the literature of Napoleon's exile.

One legend of the period Professor Sloane disposes of in this edition, namely the story that Napoleon at the conferences of Udine seized a vase belonging to Cobenzl and dashed it to the floor exclaiming "In less than a month I shall have shattered your monarchy like this." The story of the drowning of thousands of Russians through the ice of Satchan Lake during the retreat from Austerlitz Professor Sloane regards as supported by convincing proofs. Possibly he may not have noted the work of Slovak-Janetschek, which seeks to show by the official records that when the lakes were dragged only two bodies were found and these men had evidently been killed before they fell in.

There is one historical problem upon which it would have been interesting had Professor Sloane stated his opinion in more detail. He believes that Napoleon's tirade against Villeneuve for turning southward to Cadiz in August, 1805, instead of steering for the Channel, was a genuine ex-

pression of feeling rather than one of many illustrations of Napoleon's way of "making" history. This question has been revived since the publication in 1902 of Desbrière's *Projets et Tentatives de Débarquement aux Îles Britanniques*, under the auspices of the Historical Section of the French General Staff. From the correspondence there published it does not appear that Napoleon at first thought of Villeneuve's change of course as vitally affecting his scheme. In his letter of September 1, when he had just heard of it, he expresses anxiety mainly about the safety of the Rochefort squadron, which Villeneuve's move southward jeopardized. It should be remembered that for over a week Napoleon had been dispatching troops toward the frontiers of Austria. On August 28 he had written that the army was in full march. The first time he fixes upon Villeneuve the blame for "mon expédition manquée" is in a letter of September 8, and not even then because Villeneuve had gone to Cadiz, but because he had entered Ferrol instead of uniting the squadrons and keeping on into the Channel.

Mention should be made of the serviceable bibliography, filling about fifty pages of the fourth volume. Although it is not intended to be complete, one misses notice of the second edition of Fournier, of Aulard's *French Revolution*, which treats of the Consulate as well as of the earlier period, and of Lanza de Laborie's *Paris sous Napoléon*.

H. E. BOURNE.

Marschall Bernadotte, Kronprinz von Schweden. VON HANS KLAEBER, Oberstleutnant a. D. (Gotha: Friedrich Andreas Perthes. 1910. Pp. x, 482.)

THIS volume is practically a biography of Bernadotte, for its scope is not limited to the eight years when he was prince royal of Sweden, as 270 of its 466 pages of text deal with his career prior to 1810, while the twenty-six years of his kingship were of the proverbially happy sort which have no annals. The limitation of the book is not primarily in scope but in character, for it is distinctly a military biography.

The book is well printed and amply illustrated with an admirable selection of portraits, photographs of buildings and scenes, reproductions of prints and documents, and an abundance of useful sketch-maps illustrating the military operations. Unfortunately there is neither an analytical table of contents nor an index.

The ten-page *Verzeichnis der benutzten Druckwerke* makes no pretense of being an exhaustive bibliography, for it even omits the biographies by Touchard-Lafosse (Paris, 1838) and Swederus (Stockholm, 1877-1878) which are cited in the foot-notes. Many titles lack the place and date of publication, and rarely is any distinction made between trifling monographs and works in several volumes. The foot-notes seldom, if ever, give exact citation of volume and page. Aside from acknowledgments, in the introduction, to the General Staff in Berlin and

to the archives in Dresden and Stockholm, there is little evidence of the use of new manuscript materials, but the author has verified many facts of a geographical and antiquarian character, and corrected several discrepancies in dates which have led previous writers into errors of a more serious sort. The narrative is frequently enlivened with extracts, in German translation, from Bernadotte's correspondence and conversations, mostly borrowed from earlier publications.

Bernadotte's share in each campaign from the outbreak of the war between France and Austria in 1792 through the campaign in Norway in 1814 receives due consideration; but to the campaigns of 1813 more than a hundred pages are allotted, showing that the author's chief interest is centred on the great year of the *Freiheitskrieg*, for which he makes liberal use of the works by Lagerhjelm (Stockholm, 1891), Wiehr (Berlin, 1893), and Friederich (Berlin, 1903-1906), and cites several other recent monographs. In general, considerable use is made of the older biographies by Geijer (Stockholm, 1844) and Sarrans (Paris, 1845) and of the more recent one by Schefer (Paris, 1899). The literature in German, both general and monograph, seems to have been more thoroughly worked over than that in French and Swedish. Pingaud's *Bernadotte, Napoléon et les Bourbons* (Paris, 1901) is mentioned in the bibliography, but even this honor is denied to the studies on the embassy to Vienna by Masson (Paris, 1883) and Casati (Paris, 1898) and on the foreign policy of Bernadotte from 1810 to 1815 by Alin (Stockholm, 1899).

The style is simple and straightforward, even tending to monotony and, at times, to a failure to differentiate sufficiently the important facts. In his judgments and in his general avoidance of the expression of personal opinion, the writer has fairly conformed to his professions of impartiality; but in method and content every page seems to exhibit the traits of the German military officer. The author's conception of Bernadotte is very definite and reasonable, but it underlies the treatment of facts rather than emerges as a resultant explanation of them. He discovers three phases to Bernadotte's career: without Napoleon till 1796, with Napoleon from 1796 to 1810, against Napoleon after 1810; but he is obliged to confess that this key is too simple to unlock the mystery of Bernadotte's character and actions. Clearly Oberstleutnant Klaeber, though sympathetic to his subject, finds difficulty in comprehending the native of Pau and the republican, who was ill concealed by the titles of marshal of the empire and prince royal of Sweden. What a puzzle would he find Pau's other great son, Henry of Navarre!

GEORGE MATTHEW DUTCHER.

A History of Malta during the Period of the French and British Occupations, 1798-1815. By the late WILLIAM HARDMAN of Valetta. Edited with Introduction and Notes by J. HOLLAND ROSE, Litt.D. (Cantab.). (London and New York: Longmans, Green, and Company. 1909. Pp. liv, 657.)

THE title of this book may be misleading. Only forty pages deal with the history of Malta, 1803-1815, and there is a final statistical chapter of nine pages designed to exhibit the economic benefits which the Maltese must have secured under British rule up to the year 1905. The largest space is devoted to the period 1798-1803 and we should therefore judge the book as a contribution to Napoleonic history. First, however, as to the origin of the book, which is largely a collection of extracts from documents, and as to Dr. Rose's editorial connection with the literary remains of Mr. Hardman of Valetta.

This connection is clearly shown in the preface. Mr. Hardman had with industry and at some cost collected a large number of extracts from printed sources, relating in one way or another to the history of Malta. These were mainly from somewhat unusual books on Malta, from the correspondence of Napoleon, Nelson, Paget, etc., and from that invaluable set *L'Expédition d'Égypte*, edited by C. de la Jonquière. In addition, quotations had been secured from various manuscript archives in London, Paris, Malta, and elsewhere. In particular the journal of General Vaubois during the siege of Malta by the British had been quoted at great length from the Archives Nationales, AF III. 73. Mr. Hardman's wise notion had been that a collection of documents with a small thread of comment would be of the largest service. To this idea, under authority of Mr. Hardman's executors Dr. Rose devoted himself. Yet his task of compression must have been difficult. He has given us an admirable introductory essay of fifty-three pages on some of the larger aspects of the problems involved or affected by the material he has had to handle. He has abridged many of the quotations from documents, has supplied foot-notes where they seemed to be needed, and has (I judge) also reduced at times the editorial connective tissue which had been originally supplied by Mr. Hardman. Turning therefore from the history of the book we come to the question of its usefulness to the student and to the importance of the subject as a whole.

The most inglorious period of an historic corporation is illustrated by quotations from various books including Ransijat's *Siège de Malte*, and by the material summarized by Mr. Hardman in appendix i. as to "the financial condition of the order of St. John and the revenue of the island in 1798". But the Maltese question appears as well in appendix iv. where Mr. Hardman expresses his opinion as to Maltese histories and historians. That Mr. Hardman was apparently a hearty supporter of British government need not disturb the democratic advocate of a local oligarchy; he can at all events become acquainted with the material here

cited. But let us turn back from such questions as involve the Consiglio Popolare and the ethical and historical aspects of British acquisition and domination in a naval base of imperial importance.

We come now to a matter of wider interest, *viz.*, the motives for the French seizure of Malta. And here we are concerned immediately with the failure to explain the larger and historical interest of both Russia and France with regard to the Mediterranean and more particularly as to Malta. Thus, though in chapter XVII. (Russia's Connection with the Order of St. John) very valuable manuscripts, chiefly from the Malta Public Library, are for the first time printed, we find inadequate appreciation of the significance of the general scope of Russian desires with regard to the Mediterranean (*cf.*, for example, Brückner, "Russlands Politik im Mittelmeer" in *Hist. Zeitsch.*, XXVII. 85-115). And while Dr. Rose naturally talks about Carthage, Louis XIV., and Corfu, the essential facts with regard to French economic interests in the Levant are not clearly stated. At least no apparent use has been made of the figures supplied for example by Mayer, Beaujour, Beausobre, Jackson, Arnould, Anthoine, Savary, and others. In any event from 1715-1789 French exports to the Levant had increased twelvefold, and imports from the Levant thirteenfold; and in 1787 France had 42 per cent. of the total trade of Smyrna (*cf.* my *Eastern Problems*, pp. 140-141, and notes). The Napoleonic interest in the Mediterranean and in Malta was primarily a French interest and along natural and national economic lines the genius of the man attempted an outlet.

The extracts from the journal of Vaubois, however, are a distinct contribution to a narrower aspect of the history of the times. Napoleon could not always sweep up the fragments of a failure; when he failed he did not destroy the records which were to be available to the archivist of a former enemy. Lastly we find those clear indications in private correspondence of the disruptive forces which radiated from the Maltese question in the early nineteenth century. That question became not merely a touchstone of peace or war between England and France but also a phase of the larger Eastern question which Napoleon from time to time so skilfully intruded as a stumbling-block to the effective and continuous alliance of his enemies. The history of Malta in these years is a history both of a microcosm of world-politics and of an essential factor in the local annals of Europe. With English rule in Malta Napoleon was destined to appreciate the truth of Mayer's words (of 1790): "Qu'un nouveau souverain placé sur ce point [Malta] central des deux continents, ouvreroit et fermeroit à son gré le passage à nos vaisseaux" (*Considérations Politiques et Commerciales*, etc., p. 6).

The student will find valuable material in this book, though he will still naturally insist on turning, when possible, to the numerous printed sources on which Mr. Hardman has laid tribute. He will through both text and editorial comment appreciate more fully the significance of Malta in the history of the world. And he will also observe the

scholarly and sober method and motive which both compiler and editor have shown.

ALFRED L. P. DENNIS.

France under the Republic. By JEAN CHARLEMAGNE BRACQ, Litt.D., Professor of Romance Languages in Vassar College. (New York: Charles Scribner's Sons. 1910. Pp. vii, 376.)

"THE writer has attempted in this book to gauge the great political experiment of France during the last four decades, and to make an inventory of the constructive and reformatory work of the Republic." The purpose, so expressed in the opening words of this book, is well carried out in what is certainly the best general survey of the present situation in France obtainable in English. Professor Bracq has carefully executed a difficult task, and has backed up his extensive personal knowledge by detailed statistical and historical researches. He has attempted to cover every point of interest—art, philosophy, economics, social questions, moral and educational reforms and tendencies, education, religion and doubt, secularization, separation of Church and State, socialism and the growth of capital, national and local politics, and other things. This encyclopedic survey is crowded within the covers of a handy volume, and it is to be hoped that it will find a goodly number of readers.

The book is both an impression and a study, which fuse in a thorough-going defense of and apology for the Republic. Professor Bracq is a patriot and a Republican, and he has marshalled his material for the conviction of all who doubt the prosperity and progress of France to-day. If he succeeds he will have performed a real service; for much misunderstanding of France and Frenchmen is current both in our press and among our German-trained professors. But it will be rather by good fortune than otherwise if the author's enthusiasm has not spoiled his defense. Besides, there is one essential error in method. He has compared France with France, the Republic with the Empire, the present with the past. He seldom gives one any comparative view with other nations. The advance made by France during the Republic is certainly stupendous. But what of Germany? It is a service to show—and the facts are conclusive—that the French are far from being a degenerate race and are making magnificent advance in almost every line. But the student of modern social phenomena, faced with the fact of the accumulative rate of progress of all civilized countries to-day, must go deeper for an explanation and must carefully check up the relative position of France with the other nations in this dynamic process. Behind it all lie the Industrial Revolution, science and machinery. Professor Bracq's survey in noting only a single chapter of its results—results, to be sure, which make the era of the Republic the most remarkable in the whole history of France—leaves one with a feeling of having listened to only

part of an argument. Unfortunately this patriotic narrowness weakens a thoroughly sound conclusion. It has been said that only financiers to-day recognize the strength of France. When a financial power like hers grows up where nature has not lavished her gifts as with us, the moral stamina of the people is also convincingly displayed.

The book is well documented and its references and citations are pleasingly apropos. Of especial interest are the extracts from school text-books, to refute the charge of their immoral and irreligious character. Interesting too is the fact that criminal statistics have made a worse showing in periods of Catholic control than under lay rule. But of such items the book is full. Some chapters, however, are thin. That on History is perhaps the poorest, though little discrimination is shown in the treatment of the other social sciences as well. A mere enumeration of names is not of much value. There is a strange absence here of concrete statement. The survey of social legislation is too glowing. Much remains half-done in that field. Institutions of charity make a larger showing than they deserve. The apologetic tendency is too evident in such statements as: "In the French army an officer is suspended for debt" (p. 172). Not always; witness some figures in the Dreyfus case. It appears most frequently in the use of such epithets as "admirable" or "generous" with references to actions of rather plain social duty, and reaches a climax in his approval of the latest suburban architecture around Paris!

J. T. S.

Europe since 1815. By CHARLES DOWNER HAZEN, Professor of History in Smith College. (New York: Henry Holt and Company. 1910. Pp. xxiv, 830.)

MR. HAZEN tells us in his preface that his narrative "is based chiefly, as probably any synthetic work covering so large a field must be, on the elaborate general histories of different periods or countries, on biographies, and on the special monographic literature". It goes therefore without saying that the book is not written for specialists in this field; it is expressly composed for college students and for such general readers as are interested in taking a survey of the most recent phase of European history under an experienced guide. Mr. Hazen's task was largely one of presentation, involving selection and proportion of materials, emphasis, clearness, and all those related matters conveniently grouped under the heading style. His style in this generous sense of the word, that is, his personal contribution to the bulky mass of facts at his disposal, is uniformly admirable. Without ever waxing portentous he maintains an even tone of dignity exactly corresponding to the gravity of his matter. His expression is simple and clear without ever dwindling to bareness and without sacrificing that dramatic feeling toward great events by which alone they are realized in impressive

pictures. Finally, he is informed, circumspect, and rigorously impartial, as anyone may satisfy himself by turning to his handling of such contentious issues as the Ems despatch (p. 292), the Congo Free State (p. 554), and the Boer War (pp. 539 ff.). But these merits of temper and training admitted, a leading interest is certain to attach itself to the question of viewpoint. From what angle or platform does the author pass the movement of this wonderful century in review? Is he an old-school political historian, or does he lean toward the innovators, whether these favor the importation of economic and sociological or general cultural materials into our presentations purporting to be history? Undeniably Mr. Hazen is in the main traditional, that is, he is convinced that a history of the nineteenth century is chiefly concerned with the march of democracy, the grant or reform of constitutions, the development of nationalism, and the relation to one another of the great powers in war and peace. That means, speaking generally, that he occupies the same ground as such predecessors in this field as Fyffe and Andrews. But the discussions of the day have troubled him sufficiently to force a slight concession offered in a concluding chapter—Certain Features of Modern Progress—which has every appearance of being an afterthought and which certainly fails to convey an adequate impression of the enormous cultural complexity and richness of the period. Only an inordinately unsympathetic reader will refuse to make full allowance for the difficulties of an author trying to meet a confusing mass of claims within strictly prescribed limits, but the doubt may fairly be voiced if the attempt was worth while. In the opinion of the present reviewer the informing spirit of the book calls for a final detailed political review which shows the states of Europe as a single commonwealth struggling to fulfill a common destiny. Mr. Hazen successfully shows this open and secret interlacing of diplomacy up to about the period of the Franco-German War, then and, curiously enough, at precisely the time when it acquired a greater potency than ever, it drops from sight and we get from him as good as nothing about the genesis and meaning of such combinations as the Triple Alliance and the triple *entente*, and we are left to clamor wholly in vain for light on the Anglo-German rivalry which so completely dominates the European world of to-day. Perhaps this is overemphasizing an individual judgment, but the conviction persists that the proportions of the book as well as its underlying assumptions would have been better served by a concluding political survey than by a necessarily hurried tabulation of the cultural contributions of the nineteenth century. The cultural history of this century presenting the whole forward movement of the age remains still to be written, and, desirable though it be, will hardly be produced till we have reached a much more clarified view than at present obtains of the aims of historical study.

The book owes much of its effectiveness to its having been written by a practical teacher. The rigorous adherence to broad lines, the elimi-

nation of confusing detail however picturesque, the admirable clarity of statement and logic of development, declare that the author never left out of consideration the difficulties of the student and specifically of the American student. This pampered individual has also been coaxed in other ways to be pleased to accept the advantages of an expensive education, as, for instance, by the proffer of the best set of maps that has ever been incorporated in this kind of volume and by descriptive bibliographies that have been compiled with careful and tender solicitude for his powers and needs. This first volume in the new American historical series is an emphatic endorsement of the view that the educational problems of our American colleges are best met by American teachers and scholars.

FERDINAND SCHEVILL.

The Life of Benjamin Disraeli, Earl of Beaconsfield. By WILLIAM FLAVELLE MONYPENNY. Volume I., 1804-1837. (New York: The Macmillan Company. 1910. Pp. ix, 401.)

If by any unfortunate mischance the two succeeding volumes of Mr. Monypenny's biography of the Earl of Beaconsfield should not be published, the first volume would leave the world wondering how it came about that the Benjamin Disraeli of 1804-1837—the period covered in this volume—ever became the leader of the Conservative party and served two terms as Prime Minister. It might be recalled that when Disraeli began to be influential within the Conservative party that party was going through one of the recurring periods when it has either used up or shed its best men and when it is almost without a policy. This was as obviously the case in 1846 after the Conservatives had broken with Peel over the repeal of the corn laws as it had been in 1829 when the Wellington administration hopelessly broke down and the Conservative régime which went back to 1784 finally came to an end. The condition of the Conservative party in 1846 was weak in the extreme, and recovery seemed as difficult as it had been after the end of Wellington's brief tenure of the leadership. But if the contents of these four hundred pages were all that were known of Disraeli, there would be little to suggest that a man of the character and achievements of Disraeli up to the time of his election for Maidstone in 1837 could be of any great service to a political party that was really attached to political principles, and dependent for its strength in the House of Commons—whether in opposition or in power—on the votes of a middle-class electorate such as existed from 1832 to 1867.

Mr. Monypenny may congratulate himself that he has succeeded with the most difficult part of his undertaking, and succeeded admirably; for no biographer of any English statesman of the nineteenth century had for his subject a man whose early years were less in keeping with the career of a future statesman. With the exception of Canning, Peel,

Gladstone, and Disraeli, all the great political leaders of the nineteenth century were of the governing class, and their early political careers were along conventional lines. Peel and Gladstone were not of the governing class; but their early lives were entirely conventional. Assuredly there was nothing conventional about Disraeli's career up to 1837. It was quite unlike the earlier years of any English statesman of either the eighteenth or the nineteenth century. It consequently presented difficulties altogether new to any political biographer. But it had at least the advantage of novelty; and this advantage Mr. Monypenny has turned to good account. He has written the best story extant of the Disraeli family—of Benjamin Disraeli, who was the author of *The Curiosities of Literature*, and of Sarah Disraeli, the sister to whom Disraeli was so much attached; and incidentally he has made it clear when and how the Disraeli family ceased to be of the Jewish religion. Equal care has been bestowed on Disraeli's school-days, not at Eton or at Harrow, but at schools that are now forgotten; on his abortive apprenticeship to the law, first in the office of a city solicitor, and next at Lincoln's Inn; of his unfortunate speculations in mining stock, which were so disastrous that he was financially embarrassed for many years to come; on his part in Murray and Lockhart's attempt to found a Conservative daily newspaper that should rival the *Times*; on his career as a dandy and a novelist; and on the journalistic work that he did for the *Morning Post* and the *Times*—work which seems to show Disraeli at his worst.

Political interest begins with Disraeli's first effort to secure a seat in the House of Commons at the by-election at High Wycombe on the eve of the enactment of the Reform Bill of 1832. There were three or four unsuccessful contests before Disraeli was elected for Maidstone. These were the years when Disraeli was a social and political adventurer, ready to accept nomination from a Radical like the Earl of Durham or enter the House as a Conservative. But it is clear from the speeches and letters that Mr. Monypenny has so industriously collected, that Disraeli only went where from the first he belonged when he joined the Conservative party in the House of Commons. Better opportunities open out for Mr. Monypenny as a biographer after 1837; and the first volume of the life of Disraeli abundantly warrants the expectation that when completed this biography, as regards good workmanship and value and interest, will rank, perhaps not quite with Morley's *Gladstone*, but certainly with any other biography of a nineteenth-century British statesman.

The Rise of South Africa: a History of the Origin of South African Colonisation and of its Development towards the East from the Earliest Times to 1857. In four volumes. By G. E. CORY, M.A., Professor in Rhodes University College, Grahamstown, South Africa. Volume I. *From the Earliest Times to the Year 1820.* (New York and London: Longmans, Green, and Company. 1910. Pp. xxi, 420.)

THIS scholarly volume should interest a wider circle than those concerned merely with South African history. Thus a student of institutions who happens to be concerned with American westward expansion could find both profit and pleasure in this treatment of another colonial settlement and of the origins of other imperial questions. Indeed the story of the collection of much of the material, which supports this volume and which will be used in the succeeding volumes, suggests strongly the methods used by collectors and archivists to secure material for the history of the exploration and expansion of our own Northwest. The tales of early settlers, the long expeditions to secure old letters found in remote farm-houses, the use of neglected collections of source material in decaying government stations—all the romance of the collector's life are here hinted at, while in foot-notes, as well as in the steady record which the patient author gives, the early history of a white man's colony slowly develops. But there are many characteristic qualifications. Throughout, two racial questions are evident. Both Anglo-Dutch relations and the existence of a great native population give local emphasis to large matters. On the whole the Dutch apparently get if anything more than even treatment. But the later volumes will give clearer evidence as to this. As for the native question, the conditions of border warfare which so occupy the historian seem to justify to him the repressive measures often taken by the white man, and particularly at this stage by the Boer. The reproductions of photographs and maps add much to the value of the book; and the index is fair.

Thus we pass to the general plan of the volume and to one or two of the particularly controversial topics which it includes. In the first place this volume is not primarily the history of Cape Town or of Cape Colony in any narrow sense, nor on the other hand does it as yet deal with the growth of South Africa in a general way. Rather is it, as the subtitle indicates, a study of expansion, particularly to the east of Cape Town, of the relations of this eastern region to the central authorities whose European connections were through the shipping that anchored in Table Bay. And here we must recall the vice-versa of South African expansion as compared with our own, and note also that lack of suitable harbors made this expansion, at least for the time, essentially continental, though not remote from a coast. Thirdly follow the tangled relations of Dutch settlers, foreign invaders, and native races. As is the case in so many other matters the voyages of the sixteenth century, the

expansion of ultra-Protestantism, and the French Revolution contribute chiefly the primary European elements to this story. The final facts with which this first volume ends are the settlement in increasing numbers of English colonists and the rise of modern humanitarianism, the anti-slavery movement and its relations. Roughly the first 150 pages deal with the period to 1806, when ultimate Dutch authority came to an end in this region. Besides the topics already mentioned, the development of a judicial system, land tenure, the labor question, and the start in South Africa of modern missionary work are also included. The chapters which will probably arouse the greatest interest in the specialist on South African history are those on the struggle for the Zuurveld, which led to the British establishment of Grahamstown; and secondly on the Dutch "rebellion" which led to the death of several of its leaders at Slagter's Nek. This much discussed event marks one of the early mile-stones in the history of Anglo-Dutch antipathy and is here handled in sympathetic yet scholarly fashion. In general the early English versions and the later Boer traditions are both rejected. Thirdly, the concluding chapter is of particular interest in that it deals with the first combined militant movement by white men against the Kaffir. At the end come the English settlers of 1820.

The students of British imperial history will find in this volume a sober story of the beginnings of a recent and entangled problem. Here we find the same earnest inability to understand, the same unfortunate sense of justice, the same evangelical and Nonconformist conscience at home, and the same inevitable expansion of British authority, to which the memories of the last decade can so abundantly testify. But South African history is splendid stuff; and this volume with its valuable extracts from records and its careful method is a contribution to the better understanding of it.

ALFRED L. P. DENNIS.

A History of Japan. By JAMES MURDOCH, M.A. Volume I. *From the Origins to the Arrival of the Portuguese in 1542 A. D.* (Yokohama, Shanghai, Hongkong, Singapore: Kelly and Walsh, Ltd.; London: Kegan Paul, Trübner and Company, Ltd.; Leipzig: Otto Harrassowitz. 1910. Pp. viii, 668.)

PERHAPS one may divide the past four decades of the parallel progress of the writing of Japanese history by Occidentals and of the study of their own history by the Japanese into the following three stages. In the first stage, the Japanese were too eager for new learning to cast a retrospective glance upon their past, and the old scholars of history were neglected for the time being; the books produced by Western writers on Japan were correspondingly puerile, one very popular work, which is still considered an authority in some quarters, containing passages written by the author's Japanese pupils as their lessons in English composi-

tion. With the sudden growth of nationalism in Japan, however, the historical study of her people quickly passed into the second stage, in which not only were the old scholars and old materials recalled to service, but also sources, hitherto but little known lurking in temples and private homes, were systematically searched, studied, and collated. The amount of the new materials thus collected and of the new views of history they forced upon the student was enormous. At the same time, there were now a few Europeans who had acquired sufficient knowledge of the Japanese language and culture to be able to make an intelligent use of the service of native assistants for the purpose of historical writings. These were, however, still too crude to merit the notice of Japanese historians, while the latter's active researches were too special and minute to be comprehensible to foreign authors. The two, therefore, remained, as they still do to a large extent in the present third stage, strangers to one another. At this stage, the native scholars are gradually emerging from the work of deciphering old documents into that of constructive criticism of their contents, from the culling of authentic data to their analysis and interpretation. Almost wholly unrelated to this vigorous movement among Japanese historians, a few foreign authors seem now to have come to a point where they get first-hand glimpses of the vast literature of Japanese history and apply to it, in some measure, not scientific criticism, but what might be termed the criticism of common-sense. Mr. Murdoch's first volume is by far the best product of this stage.

The first four chapters, on the period before 645, abound with proofs of the author's critical acumen, pointing out in his half-playful manner many inconsistencies in the *Nihongi*. He accepts Mr. Hulbert's theory that some southern Koreans came, not from the north, but from the South Sea by way of Ryūkyū and Kyūshū, and makes an extensive application of this hypothesis to primeval Japanese. One misses in these chapters reference to the archaeological finds made recently in Korea and on her northern borders, as also in Japan since Gowland's time. The significant story of Illa is passed by as "strange" (p. 108). The germs of institutional reform after about 500 A. D. which were caused by economic necessity, and which heralded the events after 645, are not clearly brought out. As a consequence, the Reform of the latter year (ch. v.) is described as much more abrupt and thorough than recent researches seem to prove. The Reform is treated much more fully than by Brinkley or La Mazelière, but Mr. Murdoch's views as to what seems to have been done by the reformers about the land and men under private control, how extensive was the area in which the new measures were enforced, and what was the status under the new régime of those older institutions which confront us again after 645, must be said to be inconclusive. The next chapters (vi.-xi.), bringing the story down to the fall of the Taira, shows with the author's usual clearness how the influence of the bureaucratic government at Kyoto waned. Political events are

well handled, and the great social changes of the period receive emphasis. The important question, however, as to how the control of some of the landed estates of the civil nobles passed into the hands of armed stewards, is not treated in a manner to satisfy the careful inquirer, and the ambiguity on this point affects the chapter on Yoritomo, otherwise so excellent. The reason for this weakness lies in the fact, which can be easily established, that the author has not studied the material at Tōzhi, Kōyasan, and other places about *shōen*, without which no discussion of this important period is possible. Nor does he seem even to have examined the works of those Japanese scholars who have studied these sources.

In the chapters on Yoritomo and the Hōjō (xiii.-xv.), the analyses of the Minamoto government (save the author's ideas of the *ji-tō*, which call for a reconsideration) and its subsequent development, of the changed moral tone of the age and the rise of the woman's position in society, of the good administration of the first Hōjō regents, and of other topics, seem lucid and just. For his study of the Mongol invasions, he has made use of Marco Polo and some Korean accounts, but the Japanese *Fuku-teki hen* and *Sei-sen i-seki* are not mentioned.

The chapter on the temporary restoration of 1333 contains a paragraph on local governors (pp. 549-550) in which the *koku-shi* and *shu-go* appear to have been confused, and the author omits reference to the additional imposition levied by the *ji-tō*, which may have been a large cause for the unpopularity and the failure of Godaigo. It is specially gratifying to see the progress of feudalization after the fourteenth century strongly emphasized (pp. 586 ff., 619 ff.), but the gradual clarifying process of the time, by which the regimen of the steward of the estate passed into that of the baron of the fief, might well have been shown with greater clearness. The prevailing trend toward better rural administration is touched upon (p. 588) but not developed. Both these themes would have been of high value, had Mr. Murdoch arranged to write the second volume of his series after the first, instead of the reverse.

It is disappointing that the author has not thought it desirable to give more attention to the culture history of each epoch. Nothing is said of the interesting process of receiving and assimilating foreign culture as illustrated in the art relics of the Suiko and Nara periods; of the great philosophy and ritualism of Shingon; of the extremely aesthetic but almost non-moral culture of the Kyoto Court, and its imitation by the Taira. Hō-wō-dō is mentioned, but Chū-son-zhi is not, and the culture shown in the art of the two temples is buried in silence. The painted rolls of the Kamakura period, so eloquent of the manners and views of life of all classes, receive no mention. The "pictorial art" of the Ashikaga epoch is attributed to the Zen influence (pp. 621, 634), but the reader is not told that it was the landscape painting which typified the spirit of power under control that manifested itself in many other forms in the life of the nation. Nor is the deep significance in this life of

the new Buddhist sects that rose after the Kamakura age satisfactorily explained (*cf.* pp. 479, 482, 595). The reader will suspect that the author's neglect of culture history may be due to his lack of interest in it, rather than to lack of space. He calls Brinkley's respectable chapter on the Hei-an culture "flamboyant".

It is only just to refer to the great abundance throughout the volume of suggestive and acute comments on subjects of importance in Japanese history. See, for example, remarks on national psychology on pages 123-124 and 485; on Buddhist images absorbing the metallic resources of the country (p. 191); on the difference in China and Japan of the relative importance attached to the virtues of loyalty and filial piety (p. 204); on the Minamoto chiefs supplying funds for the luxury of the Fujiwara (p. 267); on the study among Japanese warriors of Chinese works on military tactics (pp. 285, 631); on the area and population of Kamakura (p. 378); on the condition of the peasant under the Ashikaga (p. 603); on the emperors in the Onin epoch (p. 633); and on the size of Kyoto (p. 635). Mr. Murdoch also has a lively interest in personalities, and his descriptions and estimates of them are always interesting.

If some of the best parts of the work are not as convincing as they are suggestive, and if the volume is open to serious criticisms even at this stage of our knowledge, that is due to the physical impossibility for any foreigner to compass within a few years the immense and fast accumulating historical literature of Japan. Mr. Murdoch's results do not show that he has exhausted even those sources that are accessible to any enterprising student, to say nothing of the far greater volume of sources in limited editions or in manuscripts. It is evident that he has not surveyed the important works of contemporary Japanese historians on any period. Nor can it be said that such material as fell within his notice has been used with sufficient criticism; he even does not free himself from some of the legends and dogmas which have long since been discarded by Japanese. It is also difficult to understand why he does not give more bibliographical data than he does on pages 189-190, where he copies from another author. He also has incorporated without giving due credit to them results of other scholar's work, some of which had been put forward only tentatively and as a challenge for criticism and have even been modified by their authors. Mr. Murdoch undoubtedly must have reasons for this practice, for he did not resort to it in his second volume and does not follow it invariably in the present.

The somewhat rigorous criticisms of the work contained in this review attest the high respect of the reviewer for the quality of the production and his pleasure of seeing its successful publication. There have not appeared many works in English on the general history of Japan that are worthy of the name, and hardly one deserves a sober criticism more than Mr. Murdoch's two volumes. His third volume will now be awaited by many readers with much interest.

K. ASAKAWA.

The Persian Revolution of 1905-1909. By EDWARD G. BROWNE, M.A., F.B.A., Sir Thomas Adams Professor of Arabic and Fellow of Pembroke College in the University of Cambridge. (Cambridge: University Press. 1910. Pp. xxvi, 470.)

MODERN Persia has certainly an enthusiastic and devoted friend in the English scholar Edward G. Browne, of Pembroke College, professor in the University of Cambridge. He has written valuable works on his travels in Iran and his life among the people, and has likewise contributed extensively to our knowledge of the history and literature of this ancient country. A new proof of his interest is the publication of an important volume on the Persian Constitution and the Revolution of 1905-1909, with documents of high value for future historians of the Land of the Shah.

Persia was the pioneer in the constitutional movement in Asia and was the first to contradict the old adage of the unchanging East, for at last "the Laws of the Medes and Persians" have seen change, and a new régime has come into being. The development of this phenomenon is traced in a thorough way in the five hundred pages that make up the book under consideration.

The beginnings of the movement may be sought far back in the reign of Nasir ad-Din Shah, the great-grandfather of the present boy shah, when a grand vizir entertained ideas that were thought to be so liberal that he paid for them at the cost of his life. The real trouble began in 1890 and 1891 when Persia became saddled with a national debt through an ill-advised scheme which had granted a tobacco monopoly to an English company. Five years later, in 1896, Shah Nasir ad-Din fell a victim to the shot of an assassin, who was seemingly inspired by a personal grudge rather than a political grievance, although the general condition of affairs may have exercised an influence upon him.

The reign of Muzaffar ad-Din, who next mounted the Peacock Throne, was marked by an ever-growing discontent on the part of the people, who were dissatisfied at the depressed financial status of the country and were urged on by the growth of public opinion, until they rose—ecclesiastical leaders sharing in the popular demonstration—and demanded to have a real voice in the government. This concession was finally made by the sick sovereign, and on August 5, 1906, the ancient land of Cyrus, Darius, and Xerxes found itself in possession of a constitution, with a national assembly inaugurated two months later, or shortly before the sovereign's death in January, 1907, and the succession of his son Muhammad Ali Shah.

The friction which began almost immediately between the new shah and the constitutional leaders, forms a story that is well known. The strained feeling became ultimately so intense that it resulted in the bombardment of the parliament by a Cossack regiment of the shah. Riot, rebellion, and revolution became rife, until at last Muhammad Ali,

after virtual abdication of the throne, was formally deposed, and replaced by his son Sultan Ahmad Riza, a lad of eleven years of age, with a regent to hold the reins of government.

The narrative of these events is consecutively told, chapter by chapter, accompanied by a presentation of original documents now accessible or specially furnished to the author by his friends in Teheran and Tabriz, and supplemented by an extensive use of material from the European press. A full account, with remarkably frank criticisms, is given of the agreement which was entered into between England and Russia in 1907 in regard to Persian affairs. In the comments here added, a particular point is justly made with respect to the manner in which this *entente* is viewed when seen through Persian eyes; and much that is instructive on the subject of the Turkish Revolution of 1908 is brought out. A series of appendixes is included to give the basic principles of the Persian Constitution and the fundamental laws that were adopted in the National Assembly, together with comprehensive translations of Persian documents and letters in some fifty pages at the close of the volume.

The value of the work is enhanced by a large number of photographs of the persons who have been most actively engaged in the entire movement, and there are added numerous other illustrations that serve to make clearer the historic story which is told. The work is one of first-hand information and of first-rate importance by an authority who may be considered in a way as better qualified than any one in the West to speak upon the subject of this eventful change in the East.

A. V. WILLIAMS JACKSON.

BOOKS OF AMERICAN HISTORY

Essays in American History. Dedicated to Frederick Jackson Turner. (New York: Henry Holt and Company. 1910. Pp. vii, 293.)

No instructor in the gentle art of historical investigation can take up this volume without a new thrill of satisfaction in his vocation; one which carries with it the hope of winning the lasting gratitude of such choice spirits as the lure of scholarship selects out of the host of students who merely touch and go. This opportunity to grapple "with hoops of steel" the student friends, who else pass on, forget, and are forgotten, is no mean reward for the hours of patient conference and helpful quest. As Professor G. S. Ford says in his graceful introduction, this volume "preserves and transmits, by its very existence, that part of a scholar's work which is hardest to measure and record—his power to kindle his spirit and his love of scholarship in other men". This power Professor Turner possesses in a degree unsurpassed by any of his contemporaries, and no one of them will have any other emotion than pleasure that this fine tribute comes to him from the enkindled hearts of his former students.

The ten essays treat of some phase of Western or Southern history, except the last two, Professor W. S. Robertson's article "The Beginnings of Spanish-American Diplomacy", and Professor P. S. Reinsch's essay entitled "Some Notes on the Study of South American History". Mr. Robertson's excellent study considers "the most significant efforts of the Spanish-American insurgents to initiate diplomatic relations with foreign nations from 1810 to 1816, with special attention to Venezuela". Mr. Reinsch, in his illuminating and suggestive comments upon the method that should be pursued in the study of South American history, points out where the true interest of South American history lies. "Any presentation which confines itself to the changing aspects of political ascendancy, to the shifting modifications of legal forms and institutions . . . must necessarily lack depths and contact with the realities of social development." The real interest will be found in a study "of the conditions imposed upon social development by the physical environment of South America". "The interaction of physical, moral, and intellectual forces is nowhere illustrated in a greater variety of aspects than in South America." Like Professor Turner's essays on Western history, this essay is a revelation of the possibilities of the subject and an inspiration for the research student.

Of the six essays in Western history, one is a brilliant interpretative article by Professor C. L. Becker with the simple, uninspiring title "Kansas". Nothing in this volume is written with such literary charm, such keen and humorous insight, and such philosophic grasp of the subject-matter. The author has cultivated Professor Turner's own field, and has reaped a new and varied harvest. Every student of Western history, every scorner of the rampant, populist West, ought to read this charming essay.

Two of the studies in Western history deal principally with territory beyond the Mississippi. Of these, one, entitled "Some Activities of the Congregational Church West of the Mississippi", is written by Professor Lois Kimball Mathews, and is an interesting and scholarly by-product of her valuable book the *Expansion of New England*. The other, "Oregon Pioneers and American Diplomacy" by Professor Joseph Schafer, is an admirable study of the effect which the pioneer movement into the Northwest had upon the Oregon boundary dispute. The detailed knowledge of conditions in Oregon, Mr. Schafer clearly shows, "interpreted to the British as nothing else could, the attitude of the American people on this question—the government's adamant stand against concession, the impatience, not to say insolence of Congress, and the widespread disposition through the country . . . to force the issue even at the hazard of war". In one of the remaining Western history essays Professor J. A. James gives us a fuller and clearer study than we have had hitherto of the work of George Rogers Clark, after the taking of Vincennes. Another essay by Dr. S. J. Buck is a most enlightening study of "Independent Parties in the Western States, 1873–

1876". After suggesting a number of causes for their failure, he concludes "The fundamental cause for the failure of the movement, however, seems to have been . . . the innate political conservatism of the bulk of the American people." The last of these Western history studies is Professor H. C. Hockett's "Federalism and the West", which is a most interesting study of the fate of the Federalist party in the frontier states. "Its conservative and aristocratic temper . . . and its peculiarly commercial basis, unfitted it for expansion into regions where only society of a primitive agricultural type flourished." Nevertheless, "the Federalists erred in believing the societies of east and west to be permanently dissimilar. They were so only during the immaturity of the west." The two Southern history studies are "Virginia and the Presidential Succession, 1840-1844", wherein Professor C. H. Ambler studies closely the struggle in Virginia to secure the nomination of Van Buren in 1844, pointing out the reason of the failure, and a closely related study, "The Southern Whigs, 1834-1854", by Professor U. B. Phillips. Lack of space forbids us to comment upon this latter essay as it deserves, but, in brief, it contains the essence of a vast amount of intensive study, involving the plotting, county by county, of election returns, and of census studies of industrial interests. It is one of the most valuable studies in a volume wherein the scholarship is everywhere of so high a character as to make it a fitting tribute "to Frederick Jackson Turner, teacher, scholar, friend".

C. H. VAN TYNE.

The Buccaneers in the West Indies in the XVII. Century. By C. H. HARING. (New York: E. P. Dutton and Company. 1910. Pp. viii, 298.)

THIS is the first book to attempt critical treatment of a subject obscured by much loose writing and cheap romance. Historians of the West Indies have either been too susceptible to the picturesqueness of the buccaneers, or contented themselves with a display of civic disapproval of drunkenness and disorderly conduct. The object of this volume, according to the author's prefatory statement, is, first, to give an authentic account of the great West Indian buccaneers and pirates, and, second, "to trace the policy pursued toward them by the English and French Governments".

On the first count there is little fault to be found with the reconstruction of events. From the voluminous correspondence in the *Calendar of State Papers* between the Secretaries of State and the English governors in the Indies, supplemented by manuscripts in the Record Office and the British Museum, and by the rather scanty yield of French archives, the story is traced clearly and with a good deal of entertaining detail. Much new material—particularly for the English side of the story, which receives the lion's share of attention—has been brought to light by Mr.

Haring's research. An introductory chapter sketches briefly the history of the Indies to the beginning of the seventeenth century and explains the cumbrous machinery by which Spain tried to control the commerce of her colonies. Thereafter, the author deals successively with the three great strongholds of piracy, Tortuga, Jamaica, and Hispaniola, from which sailed the fleets that brought ruin to the rich towns of the Main.

In explaining the statecraft that underlay the long immunity of the buccaneers from punishment, Mr. Haring is somewhat general and summary. That they were encouraged by both England and France is clear, and undoubtedly the reasons concerned commerce and the defense of the colonies, but this is not getting below the surface. What accounts for the fact that the Englishmen in the Indies were forced to keep the Peace of 1670, while the Spanish broke it with impunity? Who stood behind the enterprise of the French buccaneers—merely the governors of Hispaniola, or the French West India Company, or the Grand Monarque himself? When the Spanish archives have been investigated this part of the story will be nearer complete. Mr. Haring has had access only to the printed *Colección de Documentos Inéditos*, which for the seventeenth century is little help. It is to be hoped too that more of the French official correspondence will some day be unearthed.

A few minor criticisms and objections present themselves: The author does not seem to discriminate between the expeditions of men-of-war, privateers, and pirates. If the attacks on the Main by Vice-Admiral Goodson and Captain Myngs during Cromwell's war with Spain are regarded as buccaneering, so too must be Admiral Vernon's attempts on Porto Bello and Cartagena in 1739.

Of the French buccaneers Mr. Haring says (p. 240): "They were not ordinary privateers, for they waged war without authority." But on the same page he admits: "The buccaneers almost invariably carried commissions from the governors of French Hispaniola." In which case they *were* privateers, as the word included all sailing under such commissions of reprisal, as well as actual private men-of-war. The tenths of prizes went not to the crown (p. 200) but to the lord high admiral. A quotation covering twenty-five pages from a book as well-known as Esquemeling's *Bucaniers* is a rather unnecessary sacrifice of space.

To quibble on points like these is to admit the excellence of the book. It is beyond question a scholarly and accurate handling of the most dramatic feature in the history of the Indies.

VIOLET BARBOUR.

Acts of the Privy Council of England, Colonial Series. Volume III., A. D. 1720-1745. Edited through the direction of the Lord President of the Council by W. L. GRANT, M.A., Professor of Colonial History in Queen's University, Canada, and James MUNRO, M.A., Beit Lecturer in Colonial History in the University of Oxford, under the general supervision of Sir ALMERIC

W. FITZROY, K.C.V.O., Clerk of the Privy Council. (London: Wyman and Sons. 1910. Pp. xiii, 903.)

THE third volume of the Acts of the Privy Council, colonial, covers the period from 1720 to 1745, though the editorial plan of throwing into sections all entries relating to a single subject has involved the inclusion of occasional extracts dating as late as 1756. As regards execution the work shows no departure from the plan adopted for the previous volume and includes the usual valuable appendixes. The necessity of completing the undertaking within the allotted number of six volumes has led to rigid condensation in some instances, and it is impossible to say, without access to the original text, how wisely this editorial privilege has been exercised. There are a few cases in which references are given to matters concerning which fuller knowledge would be welcome, as, for example, on page 581, where the committee report of July 4, 1745, on the *Clark v. Tousey* case, is mentioned but not given; on pages 608-609, where McCulloh's memorial is referred to by title only; on page 723, where an entry concerning an appeal from a decree of the Jamaica chancery court is omitted, though it contains "a long account of the case". Probably the editor has excellent reasons for these omissions, but a word of explanation would have been useful in quieting doubts. On the other hand, there appears in the volume a little that might have been omitted. The pension cases of the widows of sea-captains, whose deaths involved the mention of a colony, and the entries contained in appendix iv., which do not relate to the colonies at all, hardly seem worthy of inclusion. At most, however, they cover but three or four pages.

The value of the volume in disclosing the procedure and activities of the Council during a period when colonial affairs have not been deemed exigent is very great. By 1720 the colonial business of the Privy Council had settled down into a fairly fixed routine. It consisted of debate and consequent report on petitions and grievances, appeals and petitions for leave to appeal from colonial courts, appeals from vice-admiralty courts, colonial acts, colonial boundaries, fees, embargoes, requests for ordinance, and commissions and instructions for the governors. Little else came before the Council, as British administration was becoming largely departmental in character, and business was referred to the Board of Trade (the reports and representations from which number here little less than one hundred and fifty), the Admiralty, the Treasury, the Master General of Ordnance, the Commissioners of Customs, the Secretary at War, and the Attorney-General and Solicitor-General. The replies of these referees were generally embodied in Orders in Council, but the reader will be surprised at the frequency with which the Council as committee debated and altered these reports, sent them back for further consideration and additional information, or dispatched them to other bodies and individuals for examination and further report.

In fact, during these years the committee acted with something of the vigor of a department. The Privy Council, as such, may have been

only a registering body, but as committee it was no mere legal machine. It received references from the Council, the Secretary of State, and other sources; some of these it handed on, but many it decided on its own initiative. It called in witnesses, deponents, and counsel, heard plaintiff and defendant through their agents or lawyers, sent elsewhere, it may be, for information, but in the end made its own report to the Council. Appeals from colonial and admiralty courts, involving points of law, never went beyond the committee, and questions regarding military matters and the like were generally acted on without reference. Some of the reports of the committee are elaborate documents, and unless we believe that they were the work of the permanent staff as were many of the reports of the Board of Trade, we must conclude that the committee devoted much time and diligent attention to their consideration. It is true that the committee took its own time about the business before it; it is also true that much business apparently never got finished at all, if we are to judge from the number of cases here recorded regarding which no decision was reached; but slackness and ineffectiveness was characteristic of administration generally at this time and particularly characteristic of colonial administration. The fee system, the messenger service, the lack of departmental co-ordination, the low sense of public duty, the difficulties of communication, and the habit of giving a referee plenty of time in which to make an answer, all contributed to this end.

Appeals from colonial courts and troubles about colonial boundaries occupy much space in this volume, but of equal moment were decisions regarding colonial laws and the framing of instructions to colonial governors. It is noteworthy that the word "veto" was never used for the disallowance or repeal of colonial legislation, and it should not be used by scholars to-day. The royal act was not a veto. We notice also that some of the colonial acts were never passed upon by the Board of Trade but were considered by the committee and the crown lawyers only. The number of disallowances here entered is large, larger than is recorded in the previous volume, and it is evident that the system of repeal did not reach its full development until well on in the eighteenth century. From the entries here given it is impossible to believe that the royal disallowance was ineffective. Indeed it must have been not only effective but salutary. Regarding the instructions, we are impressed with the important part which the committee played in shaping these documents. It originated many, amended others, sent a number back to the Board of Trade for revision, accepted protests and made changes, and that, too, often despite the opinions expressed by the Board of Trade.

Perhaps the most important conclusion to be derived from the entries in this volume is the manifest powerlessness of the Privy Council in the presence of a determined resistance of the colonies. The movement toward colonial independence of the royal prerogative went steadily on. The royal mandate did not always compel obedience and the British government was not inclined to a policy of coercion. The one feature of this evidence that is most significant is the growing power of Parliament.

When Order in Council and governor's instruction prove of no avail then Parliament had to be invoked. "If [the colonists] shall neglect or refuse [his Majesty's measures] then this said governor do immediately inform his Majesty thereof that the same may be laid before the parliament of Great Britain" (p. 472). A great turning point not only in British constitutional history but in British colonial administration is indicated by these words.

CHARLES M. ANDREWS.

The Revision and Amendment of State Constitutions. By WALTER FAIRLEIGH DODD. (Baltimore: Johns Hopkins Press. 1910. Pp. xvii, 350.)

THIS is a very valuable monograph. It will be of great aid to all members of constitutional conventions and to every student of constitutional law. The author has stuck closely to his theme and has resisted the temptation to attract miscellaneous readers by a history of the events that caused constitutional conventions prior to the American Revolution, by any reference to the French convention, or by a description of the dramatic incidents connected with the Rhode Island Convention of 1841 and the Missouri Convention that sat for two years during our Civil War. The conclusions drawn by him are sane and conservative. He is no disciple of Judge Jameson, whose work on constitutional conventions he cites with perhaps too much respect. That book was not written from the standpoint of a judge or of a scholar. It was a political tract, originally composed to oppose certain opinions expressed in the Illinois Convention of 1862, which, it was thought, endangered the cause of the North. Although Judge Jameson and his political allies then succeeded in preventing that convention, of which he was not a member, from setting a new constitution into operation without its approval by a vote of the people, the people of other states have since then acquiesced in the exercise of such power by conventions upon ten or more different occasions, and this had been done several times before. He wished to combat the doctrine that a constitutional convention was subject to no restraint, but had the same powers as an ancient folksmeet, such as still assembles on the Isle of Man and in some Swiss cantons, or as the Parliament of Great Britain. This theory had been, until then, generally accepted, and has much support in history, and reason as well as precedent; although, of course, a state convention is necessarily subject to the limitations of the federal Constitution. (*New Orleans Gas Light Company v. Louisiana Gas Light Company*, 115 U. S., 650; this case is not cited by Mr. Dodd, who, however, has collected in a note to page 93 a few decisions of the state courts upon this point and also refers to Cooley's *Constitutional Limitations*.) The historian Bancroft and Judge Marcus Morton, when governor of Massachusetts, seem to have been of the opinion that otherwise its powers were boundless. In attacking this, Jameson, like most advocates, steered for the opposite pole and took the position that

a convention is absolutely bound by the restrictions that the state legislature chose to impose upon it.

Mr. Dodd says: "As a rule, then, constitutional conventions are subject only to the following restrictions: (1) those contained in or implied from provisions in the existing state and federal constitutions, and (2) in the absence of constitutional provisions, those derived or implied from the limited functions of conventions" (p. 92). Many would consider his doctrine too conservative.

The judicial cases upon the subject are nowhere so well collected as in Mr. Dodd's book. It is interesting to note, as a sign of the tendency of thought among the rising generation of scholars, that he is strongly opposed to the judicial usurpation by the courts of some of our states in asserting the right to act as third legislative chambers and to set aside, upon general principles, laws which they disapprove, but which clearly do not violate any constitutional inhibition.

Not the least valuable part of the book is a collection of the cases in which the people have overruled such decisions by constitutional amendments (pp. 238-240).

Should a new edition be called for, the index might well be enlarged by inserting references to the mentions in the text of Borgeaud, Judge Hand, Judge Jameson, Judge Lobingier, and the Constitution of Mexico. It seems ungracious, however, to find fault with such an excellent piece of work.

ROGER FOSTER.

The Intimate Life of Alexander Hamilton. Based chiefly upon Original Family Letters and other Documents, many of which have never been published. By ALLAN McLANE HAMILTON. (New York: Charles Scribner's Sons. 1910. Pp. xii, 483.)

WHETHER we admire or condemn Hamilton's ideas we must like his personality. He was one of the gifted men of his day, a genius born to greatness in whatever field he entered. He was a precocious boy who justified the promise of his youth. Ideas formed themselves readily in his mind, and he had both the industry and inclination to announce them to the public. In his earliest age they have the marks of maturity. He entered life at a time most favorable for a man of his capacity, when society was being remade and a self-made man was least likely to be embarrassed by the lack of conventionalities. And yet he was the genius of the old, not through affectation but through conviction. He believed in capable government and in a society in which conservatism ruled. He gave to the new régime that balance which it needed to restrain its tendency to experimentation, and he had the necessary ability to impose his purpose on a people who were a little too prone to ignore the permanent things of life. His activity in these lines can never be underestimated. They have many times been described in biographies and in histories.

The task of the present biographer, who is a grandson, is to describe the rich and active personality which was behind this wonderful sum of achievement. Private correspondence, the loving testimony of friends and relatives, and official records have been drawn upon for material, and the information discovered has been digested with care and arranged with a pleasing sense of proportion. The result, as may be expected, partakes somewhat of the apologetic, but it shows an honest intention to be truthful. It is hard for any man to write about Hamilton without being captivated by his genius: it is not to be expected that a relative should be aught but an admirer. We must not, therefore, be surprised to find warmest commendation for the opinions of Oliver, the Englishman, who has little appreciation for the purposes of such men as Jefferson and Gallatin, and who does not understand the native Americanism in the Republican party of the time. But all this we may forget in the faithful description of the man.

Dr. Hamilton, well known as an alienist of pre-eminent ability, proves himself a skilful narrator. His chapters deal with such subjects as Origin and Parentage; Courtship and Marriage; Hamilton as a Lawyer; As a Writer and Orator; Friends and Enemies; Building a Home; Family Life; Hamilton and Burr; and the Duel. There is also in a separate chapter a pleasing view of Mrs. Hamilton. The quotations from letters add a scholarly touch to the description and preserve the quaintness of the time in which they were written. They are not numerous enough to become wearisome, although the repetition of the prevalent epistolary affectation of style makes the reader glad no more are given. Hamilton's domestic life is the most persistent note in the volume, a wholesome picture of upper-class family happiness. The chapters on Burr and the duel are perhaps the most impressive. They describe this tragic affair not fully but with effect. Dr. Hamilton does not think it worth while to interrupt the story to explain the bearing of the New York election of 1804 on the duel. Was it because that election had a connection with the projects of the Essex Junto? On all the points which have been cited with most telling effect against Hamilton the book is mostly silent. It is not critical, or philosophical, but only a very appreciative presentation of the man's human side, sometimes diffuse and sometimes incomplete, but on the whole satisfying and creditable.

JOHN S. BASSETT.

The National Land System, 1785-1820. By PAYSON JACKSON TREAT, Ph.D., Assistant Professor of History, Leland Stanford Junior University. (New York: E. B. Treat and Company. 1910. Pp. xii, 486.)

Few attempts have been made to put into compact form a history of the American federal land system. Donaldson's encyclopaedic *Public Domain* is an excellent reference work but not attractive reading. Sato's *History of the Land Question in the United States* is little more than a

sketch of the legislative aspects of the subject. These works purport to cover the fields; other writers have contributed a large number of monographs, chapters, and paragraphs, many of which are excellent. Dr. Treat has undertaken to tell in one story the history of legislation and the operation of the laws. On the main he has done the work painstakingly and well, and it will prove of great aid to teachers of social and economic history and of interest to a larger circle of readers.

The first seven chapters show a clear and logical arrangement of subject-matter. Beginning with the Origin of the Public Domain the author sketches the claims of the new states to western territory and the surrender of these claims to the central government. In chapter II. he discusses the Origin of the Federal Land System. This is one of the best chapters of the book. There is brought together in brief space all that will frequently be wanted on the genesis of the land system. However, the statement on page 35: "The delegates from the South, therefore, sought to amend the clause which provided that the land could only be sold by townships; they would make it possible for settlers to purchase smaller amounts wherever they desired." And again on page 36: "But the Southerners grasped better the spirit of the westward movement, and in insisting upon the sale of small tracts they pointed out the development of the land system for the next fifty years"—these statements give an impression which would hardly prepare the reader for an understanding of the votes repeatedly taken on size of tracts, in which the Southern members consistently and persistently voted against reductions. There is no mystery in the case; they voted for smaller tracts than townships because the townships were too large for plantations; they voted against the quarter-section and eighty-acre tracts, because they were too small for the planter, but gave the independent farmer a chance to buy so as to interfere with a thousand-acre purchase. On the other hand, the New Englander, who wanted from the start to use his township system, was early converted to the point of view of the pioneer north of the Ohio. The votes on the land question reflect the different interests of the small farmer of the North and the planter of the South. The better grasping of the spirit of the West by the Southerner must be taken to apply to a point of time, or treated with an undue portion of savoring.

The last half of the book shows a distinct lack of unity as compared to the first. The System of Surveys is a fairly familiar topic, and information on it easy of access, yet twenty pages are devoted to its elucidation. A little further treatment in chapter IV. where a sketch of surveys is given, would have been more logical and have satisfied all requirements. It seems like happening upon an introductory chapter in the middle of a story to find this detailed part of the setting well on in the plot. But the author finds his red thread again in the discussion of land grants, which he handles logically and interestingly.

The last chapter, The Early Land System and the Westward Move-

ment, is in the nature of a concluding essay and gives the author's interpretation of the results of the land policy in connection with the peopling of the West.

Such topics as "speculation", "squatters", and "pre-emption" are treated incidentally, sometimes well, sometimes not so well. On the whole the reader will be likely to get a good idea of the force of the West in these matters though mainly from the author's statements rather than from evidence presented.

Mechanically the book is attractive but far from perfect. Probably the usefulness is not impaired by the statement that "Bancroft" will be referred to as "Ban." and "Miscellaneous" as "Misc.", though the device is not always followed, but not so much can be said for the errors in citations. Out of some half-dozen references, which the writer had occasion to use, two were found to be wrong. The reference to the *Annals* on page 67 should read 429, and on page 373, note 2, 469, in place of 629 and 409 respectively.

The bibliography is well selected and the index good. Altogether the book is an acceptable contribution on an important subject.

BENJAMIN HORACE HIBBARD.

A History of the People of the United States, from the Revolution to the Civil War. By JOHN BACH MCMASTER, University of Pennsylvania. Volume VII., 1841-1850. (New York: D. Appleton and Company. 1910. Pp. xxii, 641.)

In the decade covered by this volume the sentiment for national expansion converted the demand for slavery extension into a pivot around which all the other questions at issue, political, social, and ecclesiastical, began to revolve. In the Mexican War the slave power won its greatest victory and laid the mine that wrought its own destruction. With due appreciation of the meaning of that critical struggle for territorial expansion the author devotes to it more than half of this book.

The first two chapters, however, describe the final results of the financial panic that overthrew Van Buren in 1840. These chapters should be read with chapters LXV., LXVIII., and LXX., in volume VI. They tell the story of hard times, "shinplaster currencies", riots against banks and brokers, and the progress of bankruptcy and repudiation on the part of eight states of the Union, until the tariff of 1842 opened a new chapter of economic history.

In the chapters, four in number, depicting social conditions in all parts of the country during the forties, Professor McMaster reveals his best gifts. He is not a painter of portraits, but he is skilful in depicting the panorama of a nation or a generation. The picture here unrolled is a rich one: the beginnings of cheap newspapers and of the telegraph, the queer delusions and extraordinary growth of Millerism and still more of Mormonism, the influence of slavery upon Southern society, the various efforts for social and political betterment from Fourierism and

prison reform to the whimsical "Dorr War" and the organization of the underground railroad, the national pike with its westward-moving throngs, the formless but growing cities, and through them passing here and there the figures of alien observers, keenly aware of the discomforts of travel and the scarcity of good hotels, and noting with none too friendly eyes the crudities and inconsistencies of our people.

In such a storehouse of information, it may seem ungracious to ask for more, but surely it is to be regretted that nothing is said concerning the history of American churches, excepting the two eccentricities above mentioned. In this period the lines of ecclesiastical cleavage over slavery were deepening, but the author ignores them. In connection with the Dorr War if it was advisable to refer at all to the case of *Luther v. Borden* (p. 178) it was surely worth while to explain it. In narrating the conclusion of the Anti-Rent war in New York the author continues a story begun in the previous volume (VI. 520-524). He quotes from newspaper authority, but not from the files of the acknowledged organ of the Anti-Renters, the *Albany Freeholder* (1845-1854). Possibly the extraordinary political influence of the Anti-Rent controversy upon local politics for a generation or more is not clearly appreciated. It is somewhat surprising to find Professor McMaster referring to one of the Polk family (p. 356) as a "signer of the Mecklenburg Declaration of Independence", a phrase which is either strangely careless or strangely provocative.

The treatment of the socialist movements in this decade is surely too much abbreviated. A description of a Fourierist phalanx and a paragraph about the Icarians do less than justice to the importance of the various new social gospels. Of the seventy odd social experiments described in Noyes's *History of American Socialism*, more than half were born and flourished in this decade of the forties.

But the chief epic of the decade is well told and with unusual detail in its salient features. The curtain rises upon the drama of Texas and Mexico with a delineation of different efforts of the American giant to thrust out his boundaries: the Webster-Ashburton treaty, settling the disputes about the Maine boundary which in the Aroostook War had almost brought on hostilities with Great Britain, the new tides of emigration towards Oregon and California in 1842-1846, and the gradual accomplishment of the annexation of Texas in 1844-1845. Then follow the events of the war, the annexation of northern Mexico, with the resultant challenge to the slaveholding expansionists in the Wilmot Proviso, and the formation of a Free-Soil party.

One chapter disentangles from the fabric of Central American and British relations the threads on which the hope of an interoceanic canal was strung, and the final chapter tells the oft-repeated but always thrilling story of the rush for Californian gold.

The uncertainties of Polk and his advisers in dealing at long range with a rapidly shifting situation are clearly and admirably illustrated. It

is evident that the President hoped to buy what no Mexican government, secure or insecure, would or could sell, because it touched the national honor. Our race has never understood either the pride or the courtesy of the Spanish blood. Until we do, we shall seem to our Southern neighbors to be rude barbarians. In discussing annexation and the Wilmot Proviso controversies, Professor McMaster enters very fully, as is his wont, into analyses of Congressional debates and newspaper articles, a mode of exposition to which he is much inclined, and which is employed here with more moderation and greater skill than in some of the preceding volumes.

Between Dr. Schouler's and Professor McMaster's accounts of this epoch of national growth the dissimilarities are more marked than the resemblances. Indeed the two historians are almost complementary to each other. Although the latter has profited by the use of sources, especially with reference to Texan history, that have but recently come within reach, it is still true that the outline of facts is substantially unaltered. It is the management of the perspective that differs.

Schouler turns the light upon a procession of masterful leaders; McMaster, upon a stream of events. Schouler's pages give little impression of life in the nation. He seeks it at Washington, in the committee-rooms of the Capitol. McMaster aims to portray the obscure motions of the popular will—or wills—which politicians are eager to discover and obey. And yet to realize his aim, should not McMaster study state histories and vivify local political and social forces far more than he has done?

Schouler presents the psychology of political leaderships; McMaster the sequences of actual progress. The one is the more incisive and epigrammatic; the other more coherent and lucid. Schouler's canvas is so crowded with personalities that it runs the risk of confusion. What McMaster's picture loses in brilliancy, it gains in clearness by concentrating attention upon a few factors, the organization of emigration, the clash of social interests, the progress of diplomacy and legislation.

He makes clear what the modern judgment of the Mexican War is apt to overlook, that the popular sentiment of that day, outside of New England, justified the Mexican War as the natural outcome of the long continued cruelties and misrule of the unstable Mexican government. Mexico was condemned as a barbarous neighbor, like Spain in Cuba fifty years later, but Cuba did not, like Mexico, possess a large colony of Americans to abuse and quarrel with. Even in New England, Connecticut remembered that the Austins and their first associates were Yankee emigrants and regarded itself as a motherland of Texas. From that Yankee settlement came the effort of certain Texan Abolitionists to swing the Lone Star republic to the side of free labor and to win the friendly support of Great Britain by such a policy. The effort served chiefly to awaken and unify Southern sentiment for annexation under the guise of patriotic resistance to the covert hostility of England.

There are six maps to illustrate the Mexican War, one to show the

"Mosquito Kingdom", and one to present the railways and overland routes in the United States in 1850. All these maps, and particularly the last two, seem somewhat stinted in size and therefore are not as clear as they should be. The last one is especially inadequate. Its two topics might better have been treated separately, and other maps or diagrams to illustrate immigration and the westward movement of our frontier would not have been amiss.

CHARLES H. LEVERMORE.

John Brown, 1800-1859: a Biography Fifty Years After. By OSWALD GARRISON VILLARD, A.M., Litt.D. (Boston and New York: Houghton Mifflin Company. 1910. Pp. xvi, 738.)

A MOST painstaking, judicial, finely humane book, as might be expected from a personality in whose fibre is commingled heredity from a great business leader and one of the noblest of philanthropists. The investigation is minute and the conclusions reached in every case verified by references to authorities. Mr. Villard tags his facts with their authentications as a careful shopkeeper tags his merchandise with the price-marks. As regards every essential statement we are in no doubt as to the base on which it rests, and the bases are good. The inferences are drawn with nice discrimination; the detail is as nearly exhaustive as the most exacting reader can require; the temper, while sympathetic, is sane and impartial. We have in this portrayal a John Brown never out of his wits though his wits were very circumscribed; a man of one idea, and pursuing that idea to the death with an unflinching singleness of purpose that made him blind to all other considerations. First, he gave himself for his cause, to hardship, peril, at last to the hangman's noose. Then he gave all whom he could impress. He imposed upon his wife a life of constant sorrow; he laid his devoted children in untimely, bloody graves; he shook the foundations of his country in a warfare fraught with treason and homicide; he asked of every friend the sacrifice of substance, fair-repute, and even life. American slavery must cease, what or whoever might perish. Here was a wrong so crying and fundamental that it must be ended though a generation were involved in ruin. Even in his crimes John Brown was ever the unshrinking man—a thing which cannot be said of some associates. There are very honored names which must bear a stain from their subterfuge and desertion when the crisis pressed.

Mr. Villard does not worship his hero. He declares that if Brown was a hero, it was not on account of his lawlessness and massacres, but in spite of them. As to ability he had the gravest limitations and could never have been a great leader. His work in Kansas and Virginia was abortive, ill-planned, and ill-managed. He had not in him the proper stuff of a general. This view we question. In delineating a character the parallel is a good Plutarchian expedient, and we shall resort to this

to make our meaning clear. Nicolay and Hay, in their *Lincoln*, assert that a strong likeness exists between John Brown and Stonewall Jackson, declaring in substance that had Brown been nurtured in the South and had a West Point education he would have been Jackson's counterpart. Developing the parallel, which in the *Lincoln* is only suggested, we note that Jackson like Brown was a man of great moral earnestness. Bred in a Southern environment, he held the blacks to be upon a much lower plane than the whites, but none the less did he hold them to be his human brethren with souls to be saved. For their own good it was well they should be in a state of tutelage. While discountenancing all cruelty, he was anxious for their physical and spiritual welfare. The story of Jackson's colored Sunday School deserves to be better known. He was not less zealous and God-fearing than Brown. Many another felt the same; and it is by no means inconceivable that Brown in a Southern environment might have grown into that view. Again, as to Brown's military crudeness, a West Point training would have corrected powerfully. For both men injustice existed which must be done away. To one it was that the federal power sought to coerce against its will a sovereign state; to the other it was that the white man sought to coerce against his will the black. This sense of injustice, wrongly or rightly but most keenly felt, gave to both spirits the spur, and developments resulted which are closely analogous. Both men were belated Covenanters, holding a faith in which, though love might be the fulfilling of the law, the ruggedness of the older dispensation plainly protruded. Both were absolutely intrepid, confident in themselves, full of forceful initiative. Both had the power of dominating others, Brown perhaps the more remarkably. He impressed friends and foes, the unlettered and the very flower of American culture. The border jayhawker and Emerson at Concord alike felt his spell, the one struck with terror, the other with admiration. In ordinary life both men were failures. The hour struck for Jackson in 1861, and for two years he arrived. At first the world stood aghast at his wildness. Fierce as an old judge of Israel he could advocate the massacre of prisoners: his projects were hare-brained to the verge of lunacy. Even now critics declare that he often threw prudence to the winds and showed no judgment. But his course was one of unbroken victory. *Toujours l'audace*. He always dared and he always won. For the other leader the hour never struck: it never could have struck, for the policy of Abraham Lincoln would have been abhorrent to him. He was never captain of more than a score or two, and only in his death-hour did he emerge into his greatness. The potency that was in him was revealed, but never found its full arena. They are companion figures, towering picturesque and prophet-like in the landscape of their century. Excepting Lincoln, our time of trial offers to the biographer no worthier subjects, and in this book we have for John Brown at least a portrayal worthy of the theme.

JAMES K. HOSMER.

The Negro in the New World. By Sir HARRY H. JOHNSTON, G.C.M.G., K.C.B., D.Sc. (New York: Macmillan Company. 1910. Pp. xxix, 499.)

It is a reasonably safe generalization that almost any book, written by any man who has acquired eminence in any walk of life, which treats a subject with which the author's life-work is identified, must have at least some element of value. We may invoke this generalization in behalf of the volume before us.

The portions of the book which are purely descriptive are entertaining enough, and presumably sufficiently accurate. But the chapters which attempt to deal with the historical aspects of the subject are in the main so palpably one-sided, and are written with such an utter absence of any effort at judicial statement, that they have little or no value for the student and are misleading for the general reader.

Fifteen of the twenty-four chapters are devoted to a consideration of slavery and the negro in the West Indies, South America, and the United States. Nine chapters are given to the negro in the United States since emancipation.

The author has shown exceptional consideration for both reader and reviewer. In fourteen pages he has summarized his conclusions and opinions, for the benefit, he says, of those who are too busy to do more than glance at his pictures and read his preface. A careful reading of the volume shows that he has faithfully discharged his prefatory undertaking.

He considers the generality of negroes inferior "in mental development and capacity" to Europeans and Americans, and to the Eskimo, the Indian, the Japanese, the Chinese, and the natives of India and Tartary. With the exception of the face, the best types of negroes "in bodily structure are almost as beautiful" as the best European type. "Morally, the Negro is nearly on an equality with the White race, and perhaps slightly superior to the Yellow" (p. vi). The Spanish treatment of the negro was far less cruel than was that of the Dutch or Anglo-Saxon. The negro slave had a less unhappy life in Portuguese Brazil than in either North America or the British and French West Indies. While the Dutch treatment of the negro before the nineteenth century was mainly atrocious, it is now as good as under the English or French (p. vi). The present treatment of the negro who is seeking an education is much better in France and Germany than in England or the Southern States. He feels obliged to show "with what terrible cruelties" slavery was connected in the British West Indies, but considers the treatment of the negro since 1868 to have been wholly satisfactory (p. viii).

The author has also "felt it advisable" to give "an explicit account of the exceptional cruelties attending Slavery in the United States". He admits that perhaps these cruelties were not greater than in Barbados, and certainly not more outrageous than under the Dutch (p. ix).

But as he apparently accepts a certain "female fury, for whom no imagined hell is hot enough" (pp. 113-114), as fairly typical of the average Dutch slaveholder, we need not be unduly puffed up over this concession to our ante-bellum humanity. He devotes a paragraph to explaining his reason for this "raking up of embers that have ceased to glow". It is the fear that the bulk of his countrymen and the mass of his readers in North America have not realized how bad was the treatment of the negro in the Southern States throughout the slavery period (p. ix). He has certainly done his part toward enlightening them. We may illustrate his efforts in this behalf, as well as his general mental attitude, by a digression from his analysis of his text and a glance at the text itself.

He compares the "increasingly brutal" treatment of the Barbadian slave to the "lust of cruelty" which arose in the Southern States—"an expensive gratification of wild beast instincts, since after all the slave was valuable property, and it was waste of good money to maim or kill him" (p. 216). He declares that slaves in South Carolina "were almost deliberately worked to death in the pestilential rice swamps" (p. 353). "It was in South Carolina in the first quarter of the eighteenth century that life was made unbearable and short for the unfortunate African, and that, being driven to mad despair, the negroes broke out in the Charleston revolt of 1740 and attempted (small blame to them!) to slay the pitiless devils who were their masters" (p. 368). And lest the reader imagine that some improvement was gradually wrought with passing years, he tells us that "we need not waste time over the eighteenth century in drawing up our indictment against the Southern States" (p. 369).

Sir Harry apparently has but recently discovered that the greatest and most bitter controversial period in American history, 1830-1865, was marked by a flood of anti-slavery literature, but he does not stop to consider the fact that these writings most naturally reflected the tone and temper of the times. Nothing is discounted and nothing weighed. He has ransacked this literature, making no allowance for its now confessedly partizan character and purpose, and parades his gruesome finds before a twentieth-century audience as counts in his indictment of Southern life, customs, character, and morals. He accepts the literalness of ancient colonial statutory verbiage, perfunctorily brought down in the letter long after the spirit was dead, as proof conclusive of "Southern barbarism". Still speaking of South Carolina, he tells us that "In this barbarous State (as it must have been until the conclusion of the American Civil War) for some offenses even white women were to be publicly whipped after being branded with a red hot iron, whereas men only received the branding" (p. 370).

He says: "The steady perusal of the many books and pamphlets published between 1830 and 1865, dealing with the maltreatment of slaves in the Southern States, as well as the speeches made in Congress by

Charles Sumner and others, leaves even the hardened reader and the cynical with a feeling of nausea, perhaps even with a desire for some posthumous revenge on the perpetrators of this Outrage on Humanity, worse than anything recorded in the nineteenth century of the Turk in Europe or the European in Congoland" (p. 371). Apparently the South's keenest pleasure was that of witnessing the torturing of slaves (p. 377). Of course this had its effect on the white population, and "manners, morals and speech were exceedingly coarse."

"White children and young women were accustomed to such sights, such indecencies of speech and action as must have left them with no ignorance of the existence of filthy and refined sensuality. So crudely indecent in fact were the conditions of slave life that the slightly veiled concupiscence yet comparative lack of prurience in the eighteenth-century British and French West Indies—still more the grave Spanish propriety in clothing and personal demeanour in public life—seem positively a glimpse of wholesomeness compared to the condition of South Carolina, Georgia, Northern Alabama, Mississippi, Texas, and Northern Louisiana in the first sixty years of the nineteenth century" (p. 379). He reproduces a statement that "The talents of the South all turn into two channels, politics and sensuality" (p. 380).

If patience and space permitted it, such quotations could be multiplied a hundred times, to say nothing of numberless petty expressions which can be accounted for by nothing less than an obsession of jaundice toward everything in the remotest degree associated with the ante-bellum South and its people.

The chief advice given the modern negro by the author is to "make plenty of money". He places a high estimate upon this useful adjunct of civilization. "Money solves all human difficulties. It will buy you love and respect, power and social standing" (p. xi). He seems quite well satisfied, on the whole, with the progress made along this line by the descendants of those who managed to survive the ordeal of Southern slavery. But he is not at all pleased with the light way in which the South was let off after the Civil War, nor with the results of Reconstruction. He thinks that so slight has been the retribution to the South, "in comparison with its Slavery record", that future historians will either "think there is a chapter missing somewhere; or be more than ever inclined to desert the old-fashioned view of God's judgments" (pp. 384, 385).

ALFRED HOLT STONE.

The Interest of America in International Conditions. By A. T. MAHAN, D.C.L., LL.D., Captain, United States Navy. (Boston: Little, Brown, and Company. 1910. Pp. 212.)

THIS work of Captain Mahan is one of deep interest and of great suggestiveness. He prepares us for his general discussion of the present

relations of nations by tracing some of the consequences in the past of the shifting of the balance of power from time to time and of the existence of the European Concert.

Entering upon his consideration of the present situation in Europe with these facts in mind, he makes a fine analysis of the factors in the development of the strength of Germany. He shows how from a condition of weakness due to the division into small states and the friction between them the empire has simultaneously and rapidly developed its industrial, political, and military power, its spirit of loyalty, its sense of unity, and its ambition to be the leading European state. He contrasts the willingness of the German people to submit to rigorous governmental control with the independence and individualism of the citizens of England and of the United States, and indicates their consequent readiness to respond to the severest military demands and to submit to most burdensome taxation for the construction of a great navy. Meanwhile common interests in their relations to other states have cemented a close military union between the empire and Austria-Hungary. Railways running to every frontier have made easy their common defense on interior lines against foes from any direction.

The strong and rapidly growing German navy, the immense army behind it, possibly to be supported by that of Austria, and the commercial enterprise of German merchants and manufacturers, which is making itself felt in all the markets of the world, in competition especially with English trade, naturally cause great sensitiveness in Great Britain. This has called forth sharp expressions from the English, which has led to recrimination in Germany. "We will not permit equality with other Powers to be taken from us", said the late Chancellor Bülow, "we will not allow the right to speak like them in the world to be contested. We have become a Great Power and with God's help we hope so to remain."

Both parties in Great Britain agree that the German navy must be watched and held in the North Sea. Hence the British fleets in the Mediterranean and in Asiatic waters are greatly reduced to strengthen the home fleet, which is the only check on the German navy.

It is obvious that the Asiatic situation has greatly affected the balance of power in Europe. The author thinks Great Britain was perhaps unwise in allowing Russia to be crushed by Japan, and thus relieving Germany from needing vigilance on her eastern frontier.

Captain Mahan sets forth with emphasis that the United States, upholding the Monroe Doctrine in America, and the Open Door in China, especially the latter, is affected by the European fluctuations of the balance of power, since the two great navies are drawn away from the Pacific to the vicinity of the North Sea. While there seems no present disposition in Europe to interfere with the Monroe Doctrine, we cannot say how strongly we may need to guard the Open Door for the free access to Oriental markets and the opportunity for desirable financial operations in the East. Whether the treaty of last July between Russia

and Japan, who by reason of rival interests in the Far East do not love each other, means serious obstacles for us in Manchuria is not yet quite apparent.

But while our Atlantic coast appears to be reasonably secure, the Pacific Ocean seems now to be left in the hands of Japan and the United States. Captain Mahan does not expressly say whether in his opinion any danger to us is imminent from that fact, but he does point out that our Pacific coast is the most exposed part of our territory.

In all his expositions of the situation in which nations now find themselves Captain Mahan takes pains to say that the most delicate and complicated relations do not necessarily mean war. But he points out in a masterly way the facts that enable us to understand how wise must be the statesmanship, which in circumstances easily conceivable can perform the difficult task of avoiding it. The book deserves the careful attention of every student of current history.

MINOR NOTICES

Quellenkunde zur Weltgeschichte: Ein Handbuch. Unter Mitwirkung von Dr. Adolf Hofmeister, Privatdozent an der Universität Berlin, und Dr. Rudolf Stübe, Oberlehrer in Leipzig, bearbeitet und herausgegeben von Dr. Paul Herre, Privatdozent an der Universität Leipzig. (Leipzig, Dieterich, 1910, pp. xii, 400.) This volume represents an attempt on the part of its authors to present a bibliography of universal history—a work such as Langlois in his *Manuel de Bibliographie Historique* (1896, p. 98) called “mongrel, neither entirely elementary nor entirely scientific”. Notwithstanding this condemnation it must be acknowledged that a work such as this is extremely useful. With the veritable flood of historical productions there is needed a book which will give the ordinary reader a few indications as to what are considered some of the best works on a historical topic in which he may be interested. Even the scholar will find such a bibliography an excellent starting-point, and the college student, who is not specializing in history, will find it answering most of his needs.

This work is compiled from the German point of view, much the greatest number of treatises cited being German and the sections devoted to German history being more elaborate than those dealing with other countries. Works in languages other than Latin and those of Germanic and Romance origin are not cited.

In arrangement the work is patterned after Dahlmann-Waitz. No critical estimates of books are attempted except in so far as large type is used for the important works. The four large divisions: Universal, Ancient, Medieval, and Modern history are subdivided into a general survey and smaller chronological periods, and these in turn are divided by countries. Marginal indices for the latter show whether the titles are “sources”, “political”, “constitutional”, “industrial”, “religious”, *et*

cetera. Cross-references are given to works cited before or after. A good table of contents precedes and an excellent author-index follows the work. In all there are 3923 titles, but this would be largely increased if all the minor titles were numbered.

Every user will find that there are works which he would have included and many which he would have left out, particularly those which seem to be put in merely because they are in a series. Some noticeable weaknesses are the portion dealing with the English Industrial Revolution, the absolute ignoring of all French works on palaeography, and the omission of works like those of Lowell and Dupriez on European governments.

JAMES SULLIVAN.

The Sea-Kings of Crete. By Rev. James Baikie, F.R.A.S. (London, Adam and Charles Black, 1910, pp. xiv, 274.) If a taking title be half the battle, this book should succeed. It suggests romantic possibilities; and the promise, on the whole, is not badly kept. It is, perhaps, the best book for the lay reader who would acquaint himself with the main results of the marvellous work carried on in Crete in the decade just closed; or for the ordinary traveller who would "do" Minoan Crete in short order.

The value of the book is best felt by one who, like the present writer, has twice visited Crete with no such guide. Indeed, the Crete he first saw in 1899 had nothing prehistoric to show save Evans's seal-stones, the Dictaeon Cave, and a few blocks of stone sticking out of a hillside at Knossos. Six years later he found those blocks become a six-acre four-story palace uncovered by Evans's spade; and a good part of three days even with the guidance of Evans himself and Dörpfeld hardly sufficed to thread the mazes of the Labyrinth. And now that the Labyrinth has grown more intricate with each season's digging, and Phaestos and Hagia Triada and Gournia and other prehistoric seats have given up their secrets, a comprehensive clue to Minoan Crete is much needed. For that we should have looked to Evans himself, but, instead of proceeding to a definitive general work, he has chosen to confine himself for the present to one phase of it and the first installment of his monumental *Scripta Minoa* appeared in 1909.

Meantime, we have had in rapid succession Mosso's *The Palaces of Crete* (1906), Burrows's *Discoveries in Crete* (1907), and the Hawes's *Crete the Forerunner of Greece* (1909). In point of authority, Mr. Baikie is not in the same class with any of these, but he has at least seen Crete and carefully exploited Evans's voluminous reports and the main literature of the subject. With the material well in hand, he has told his story vividly and sympathetically. After preparing the way with chapters on the Legends, the Homeric Civilization, and Schliemann and his Work, he discusses the Palace of Broad Knossos (chs. iv., v.), Phaestos, Hagia Triada, and Eastern Crete (ch. vi.); Crete and Egypt (ch. vii.); the Destroyers (ch. viii.); the Periods of Minoan Culture

(ch. ix.); Life under the Sea-Kings (ch. x.); and Letters and Religion (ch. xi.). Some of these chapters (notably vii., viii., x., xi.) yield vivid pictures of Minoan life; and the author does not blink the paradoxes of the Minoan revelation. "Samson made sport for his Cretan captors" and "the great champion whom David met and slew in the vale of Elah was a Cretan", as was his royal body-guard and its faithful captain, Ittai of Gath. So "almost certainly" Plato's "wonderful island State . . . was indeed Minoan Crete, and the men of the Lost Atlantis whose portraits Proclus saw in Egypt were none other than the Kephtiu of the tombs of Sen-mut and Rekh-ma-ra".

The book is sumptuously illustrated (32 full-page photographs) but strangely fails to give any palace plans. One misses too a fuller account and reproduction of the Phaestos Disk, already unriddled in a popular magazine.

J. IRVING MANATT.

Forschungen zur Geschichte des ausgehenden Fünften und des Vierten Jahrhunderts. Von Ulrich Kahrstedt. (Berlin, Weidmann, 1910, pp. 282.) We have here a doctor's dissertation and a group of seminary reports. They are dedicated to Eduard Meyer. For their kind they are uncommonly good and reveal a firm grasp of the sources and problems of Greek history during the fourth century B. C. A large number of additions to our knowledge is made. Kahrstedt has an especial knack for handling chronological relations, and in his thesis he has laid the foundations for a new synthesis of general history between 355 and 340 B. C. This he attempts to make himself, but, though he combines his materials deftly and with good historical sense, to me at least his conclusion does not appear to issue inevitably from his premises. Demosthenes he represents as a deliberate agent of Artaxerxes Ochus—playing the diplomatic game with skill, intelligence, and, on the whole, success, but without loyalty to the interests of Athens or of Greece. If that were the case, and both Philip and Aeschines knew it, as Kahrstedt alleges, how different would have been the tenor of the oration *Against Ctesiphon*? The policy advocated by Demosthenes in regard to Philip is intelligible throughout on the theory that he sought to preserve for Athens the largest possible amount of liberty and power. That he made mistakes, particularly in his estimate of the strength and intentions of Philip, I do not deny, and that his course benefited Persia, I cheerfully concede, but that he was a traitor seems to me incredible and still unproven. That Kahrstedt has established his point—that the Spartan admirals entered upon office at the fall equinox and not at the summer solstice—is granted. On the other hand, his treatment of the symmory question, despite a number of good remarks, is as a whole unacceptable. To me it is unthinkable that *τὸ μνημα* simply equals *οὐδία*. In that case the total wealth of Athens in 378 B. C. was but 5750 talents. How then could Eubulus have collected annually 400 (600), Lycurgus 1200, talents in

taxes over and above the yield of the *leiturgies*? No state could take yearly 10 or 20 per cent. of its entire evaluation. Had the Athenians possessed only 5750 talents worth of property of all kinds their total income must have amounted to much less than their public revenues. The thought is monstrous. Kahrstedt has some very good ideas about the *coup d'état* of 411 B. C., but I am far from convinced that the documents in Aristotle's *Constitution of Athens*, 30-31, are forgeries. His omission throughout of the worse than useless Greek accents deserves all praise; his proof-reading none whatever.

WILLIAM SCOTT FERGUSON.

Du Rôle des Tribuns de la Plèbe en Procédure Civile. Par Eugène Lefèvre, Docteur en Droit, Licencié ès Lettres, Élève de l'École des Hautes-Études. (Paris, Arthur Rousseau, 1910, pp. 285.) Hitherto we have had no systematic study of that phase of the tribune's activity which is discussed here. This book not only fills this gap, but fills it in an adequate way. The qualities which recommend it particularly to the reader are the judicial attitude of the author and the clarity of his style. Positive conclusions on many points cannot be reached because of the paucity of evidence, but the main lines of development are traced with reasonable certainty. The treatment is historical and naturally divides itself into three periods, covering the use made by the tribune of his veto power in civil actions before the Lex Aebutia (149-126 B. C.), which tended to substitute the formulary process for the *legis actio*, conditions after the passage of that law, and procedure under the principate. In consequence of the change which this law introduced the magistrate acquired a larger discretion in the exercise of his judicial functions, and the more frequent use made by the tribune of his veto power in the second period was a natural concomitant of this development. The tribune's right of intercession in civil actions continues unimpaired into the imperial period, except that the movement to check certain abuses in the exercise of it, which began with Sulla's dictatorship, is still under way in the early empire. With the establishment of the principate the right of appeal in civil cases appears and develops by the side of the intercession down to the third century, when the tribunate loses its significance. In opposition to the view held by Mommsen and others, Dr. Lefèvre thinks the evidence insufficient to prove that the right of appeal developed out of the tribune's veto power. In fact the different domains which these two processes occupied and the different results which they accomplished seem to disprove the hypothesis. The negative conclusion which the author reaches on this point is an illustration of the sanity of judgment which characterizes the entire work.

FRANK FROST ABBOTT.

Life in the Roman World of Nero and St. Paul. By T. G. Tucker, Litt.D., Professor of Classical Philology in the University of Melbourne.

(New York, The Macmillan Company, 1910, pp. xix, 453.) This volume, though by no means epoch-making, will meet a cordial reception from the reading public. The author has already issued a *Life in Ancient Athens* which has achieved a marked success, and now in a greater compass he has endeavored to prepare a similar work on Rome. His avowed aim has been "to make the unlearned public feel interest in ancient life and thought"; and measured by this standard the work must be pronounced as reaching its goal despite considerable unevenness in execution. Four hundred and forty-nine pages are no very ample space wherein to describe the entire society, polity, and economic condition of the world of 60 A. D. On the whole more would have been accomplished by courageously omitting the inadequate chapters on the Imperial System, the Army, the Religion, etc., and concentrating strictly upon the private antiquities.

Dr. Tucker follows careful guides, and his opinions are almost always sound if not always very striking. In fact many chapters bear the evidence of a close though commendable companionship with Friedlaender and Marquardt. The entire omission of any kind of foot-notes is, considering the audience, an admirable feature and worthy of imitation. Taking the book in its entirety, it is not likely to supplant any of the existing works on the subject, with the possible exception of the old antiquated translation of Becker's *Gallus*, and it will bring little that is new to the advanced scholar. The style, however, is eminently readable, and it will prove most interesting as supplementary work for the high school and college freshman Latin student. It ought surely to find its way into all educational libraries. The illustrations are numerous, well-chosen, and truly helpful to the text.

WILLIAM STEARNS DAVIS.

Transactions of the Royal Historical Society, Third Series, volume IV. (London, the Society, 1910, pp. vii, 174, 30.) This volume, thinner than most of its predecessors, contains in fact but 160 pages of text. Besides the presidential address of Archdeacon Cunningham, devoted mainly to consideration of Lord Bacon's ideas respecting history and to the application of them to modern inquiries, the book contains seven papers read before the society by its members. Mr. I. S. Leadam offers a competent but compressed study of the finance of Lord Treasurer Godolphin, Mr. Hubert Hall a statement of the sources for the history of Sir Robert Walpole's financial administration. The late Mr. L. W. Vernon Harcourt suggests a plausible solution of the old puzzle respecting Shakespeare's fusion of Sir John Oldcastle and Sir John Falstaff or Fastolf, the writer having discovered a Sir John Fastolf of Nacton who is earlier than Sir John of Caister the general, and whose story has relations to that of Prince Hal and Chief Justice Gascoigne. Mr. R. A. Roberts, secretary to the Historical Manuscripts Commission, describes the history and operations of that commission. Under the title, The

Duc de Choiseul and the Invasion of England, 1768-1770, Miss Margaret C. Morison describes the secret reports respecting the possibilities of such invasion which Choiseul obtained from two emissaries, Colonel Grant of Blairfindy and Lieutenant-Colonel Beville—parts of the same scheme of spying with which American students are familiar in the case of the reports made to Choiseul respecting American conditions by Johann Kalb. Out of the estate book of Henry de Bray of Harlestone in Northamptonshire, 1289-1340, Miss Dorothy Willis develops an interesting picture of village conditions at the time. Finally Miss M. D. Gordon studies certain questions regarding ship-money under Charles I.—its assessment, collection, and amount.

L'Immunité Franque. Par Maurice Kroell, Docteur en Droit. (Paris, Arthur Rousseau, 1910, pp. xxiii, 363.) A painstaking study of the immunity—that ill-understood, political institution which proved such a potent factor in making feudal society—has long been needed. Fustel de Coulanges was never as brilliant in constructing feudal origins as in upsetting extreme "Germanist" contentions; he guessed a good deal, and used documents whose spurious character has now been established. And the treatises of Waitz, Brunner, and Esmein are too general to convey a clear-cut impression of the immunity itself. It has remained for one of Professor Esmein's students to supply the need.

M. Kroell takes us back to the fourth and fifth centuries in order to indicate the tendency of the Roman emperors to exempt not only their own personal estates but also the private domains of various lay and ecclesiastical magnates from the jurisdiction of the regular provincial officials. This condition the Franks found and adopted upon entering the empire; and their kings, in order to ensure the loyalty of the foremost chieftains, began to issue formal prohibitions to the royal officers against entering the immune lands. Thus in the Merovingian period the immune proprietor becomes almost independent, although his freemen and serfs owe the king military service, and in some regions he continues to pay taxes. The Merovingian immunity is "*un privilège anarchique, accordé par la royauté à des potentés laïcs ou ecclésiastiques en vue de s'assurer leur fidélité*". On the other hand, the Carolingian immunity, according to the author, is essentially different. Charlemagne conceived of it as a useful method of organization for ecclesiastical lands, and he and his successors, while extending it over their vast empire and granting new powers to the proprietors, tried to make the immunity a royal institution, for a time with success.

The greater part of the work is admirably clear, accurate, and convincing. There are important chapters on the life of the people upon immune estates and on the privileges of the proprietors—financial, judicial, and military—as complete doubtless as the fragmentary character of the sources would allow. Perhaps to some of us the very sharp line drawn between the Merovingian and Carolingian periods will seem a

sacrifice to too great clearness, and the closing section, which treats of the disappearance of the immunity under the early Capetians and the most frequent merging of the old immune estate into the ecclesiastical allod, should be more detailed. Even in the latter matter, however, the book is a distinct contribution to the history of feudal society.

There are full bibliographies of primary and secondary sources, a map indicating the bishoprics and abbeys which were immune under Charlemagne, and convenient lists not only of some 223 authentic charters extending from Dagobert (635) to Lothaire (839) but also of 64 spurious diplomas.

CARLTON H. HAYES.

A Manual of English Church History. By the Rev. Charles Hole, B.A., formerly Fellow and Lecturer in Ecclesiastical History at King's College, London. With a preface by the Very Rev. Henry Wace, D.D., Dean of Canterbury. (London, Longmans, Green, and Company, 1910, pp. vii, 494.) This is a book of very uneven merit. The sections on the Reformation, about a third of the whole, are the best. Here the author deals with a limited period, easily grasped as a whole and in which the divisions by reigns correspond with the natural divisions of the subject. In the sections on the Hanoverian Church the order is confused, the thread repeatedly broken, and the treatment often falls into what are little better than poorly connected sketches. In spite of its awkward arrangement, the book has many good points. It is supplied with abundant references to sources and literature. The author was familiar with the authorities and wrote with his knowledge well in hand. He had spent a long time upon the topic as a diligent student and he wrote his book after many years of lecturing upon English church history. This the book shows clearly and the reader feels at every turn. Unfortunately he also feels that the author views the past through the glasses of a party in the modern Church of England. Although it can be said that his personal position never materially distorts his perspective, it constantly colors his language. When he deals with the Church in the Heptarchy the reader easily sees what sort of ritual would be preferred by him in the twentieth century. But nowhere have his party principles led him to manipulate facts or to swerve from good faith. In this respect the first impression of language is unfortunate and stands in the way of the book's usefulness. There are in it many excellent summaries and numerous clear-cut statements and explanations. But the book lacks the form, and is too bristling with facts, to be acceptable to the average reader, and it is without that careful arrangement necessary to be highly profitable as a text-book or manual. It is full of information, especially in the modern period, yet not full enough to be a useful book of reference. It might be used to most advantage in connection with a more orderly and well-balanced treatment of the history, and its careful statements would throw needed light upon books better in form but of less sub-

stance. One cannot help regretting that the author had not subjected the book to a severe editor and written with the benefit of his criticism.

J. C. AYER, JR.

Die Kulturwerte der Deutschen Literatur des Mittelalters. Von Kuno Francke. (Berlin, Weidmann, 1910, pp. xiv, 293.) This book is a restatement, with many welcome and suggestive additions, of the author's *Social Forces in German Literature* which appeared in 1896 and which has met with such deserved success. As in the older work, Professor Francke starts with the conviction that "the prime motive power of all progress . . . is the continual struggle between individualistic and collectivistic tendencies."

Ch. I., "Das Zeitalter der Völkerwanderung", traces the changes of character in the Germanic tribes during the migratory period in the direction of intense individualism, a change most vividly apparent in persons like the Merovingian queens Fredegonde and Brunichild.

Ch. II., "Die Entwicklung der Feudal-Theokratischen Gesellschaft", depicts the conflict between Church and State, and the consequent struggle between ecclesiastical and mundane ideas in all the arts of the time, with the one exception of architecture. The discussion of the literature of the period from the *Heliand* to the *Carmina Burana* is illuminated by very happy references to later phenomena. So the consummate art with which Dürer and Bach blended national feeling with Christian ideals is happily contrasted with the *Heliand's* inability to assimilate the spirit of Christianity and with Otfried's mechanical method.

Ch. III., "Die Blüte Ritterlicher Kultur", emphasizes the vitality of the institutions of papacy and empire as binding influences on the individualism of the society of the twelfth and thirteenth centuries. Significant here is the author's insistence that in the best exemplars of the poetry and sculpture of the time—as for instance in the complex character of Gudrun or in the figures on the Cathedral of Naumburg—discipline acts as a mellowing and not as a stifling influence. Towards the end of the period, however, social discipline had become empty mockery, as appears in the cynical defiance of the moral ideals of knighthood in Gottfried's *Tristan and Isolde*. This dissolution of the principles of chivalric society prepares us for the advent of a new class as the bearers of German civilization.

In ch. IV., "Die Kultur des Bürgertums", the rise into power of this class is admirably sketched. Welcome here is the full discussion, enlivened by interesting parallels and contrasts, of preachers and mystics—phenomena usually passed over slightly in histories of literature. The interpretation of the *Volkslied* shows excellent insight into the ineffable charm of that form of poetry. The brilliant closing paragraphs significantly introduce Holbein and Holbein in juxtaposition with the important

literary representatives of the period. We look forward with anticipation to the appearance of the remaining volumes of the work.

CAMILLO VON KLENZE.

The Frankpledge System. By William Alfred Morris, Ph.D., Assistant Professor of European History in the University of Washington. (New York, Longmans, Green, and Company, 1910, pp. xii, 194.) In this scholarly essay, Dr. Morris has presented to us a very interesting study of an important subject and a splendid illustration of the scientific use of the sources. It is significant that this work is dedicated to the memory of Professor Charles Gross. It will be some time before work can be done on any subject in medieval English constitutional history which will not owe much of its inspiration to that great Harvard scholar, whose conscientious accuracy, profound learning, untiring zeal, and friendly encouragement have influenced not only the students who have been so unfortunate as to have known him, but all students of the subject.

The treatment is outlined briefly in the titles of the five chapters: Origin; Distribution; Organization and Functions; The View; Decline and Results. The appendix contains a royal writ for holding view of frankpledge in 1218; oath of persons put under frankpledge in London in the fourteenth century; tithing-list at Harston, Cambridgeshire, in the reign of Richard II.; list of works cited.

Frankpledge is defined as a system of compulsory, collective bail, fixed for individuals as a safeguard in case of crime. It is not mere suretyship. Dr. Morris says very decidedly, and we think rightly: "Any reference to a frankpledge system before the Norman Conquest must be regarded as misleading." This is significant of the changed attitude of students in emphasizing the vast changes wrought by the Norman Conquest. Later, the writer speaks of the fourteenth century as "after two hundred and fifty years of radical reorganization of English institutions".

Dr. Morris has dealt with many more important questions than that of origin. He has made a most important contribution in pointing out the danger of putting too much trust in the statements of the law-writers without correcting them by the records.

Much light is thrown on representation, suitors, relation of freemen and villeins, etc. We think "vill" is a better term than township, and we wish Dr. Morris had spoken more definitely of the representation of a vill which is also a tithing, and of the relation of view of frankpledge to the two "Great Lawdays of the Hundred".

Frankpledge undoubtedly formed one of the strong influences in the social and political environment of the men of the vill. It also shows the importance of neighborhood and illustrates one of the many ways in which that relation was used in early jurisdiction.

It was not maintained uniformly throughout England. It began to

decline in the reign of Edward I., and the quarterly sessions of the justices of the peace, instituted in 1363, took away what life was left, though some survivals may be found in the nineteenth century.

CHARLES L. WELLS.

Comptes de la Ville d'Ypres de 1267 à 1329. Publiés par G. des Marez, Archiviste de la Ville de Bruxelles, et E. de Sagher, Archiviste de la Ville d'Ypres. Tome premier. [Académie Royale de Belgique, Commission Royale d'Histoire.] (Bruxelles. P. Imbreghts, 1909, pp. xxiii, 627.) The accounts of Ypres are probably the oldest and are certainly among the most important of town accounts to be found for the old provinces of Belgium. The first is of 1267-1268; then there are a good many fragments relating to years between 1276 and 1304; and from 1304 the series is fairly regular, with gaps, however, here and there in the fourteenth century and more frequently in the fifteenth. They are not complete enough, unfortunately, to give full knowledge either of the receipts or of the expenditures of the city. They contain, however, precise information on a great variety of matters, most commonly: revenue from fines, from charges upon property taken out of the city, from payments for acquisition of burghessy or recovery of rights thereof; outlay for rents or annuities arising from expropriations by the city, for salaries, for pleas before church courts, for travelling and other expenses of officers or agents of the city, for gifts out of courtesy or obligation to various persons, for police service and public works. Now and then appear exceptional sources of expense, like war, or burial of the poor dying in time of pest. Such documents will contribute much to the history of Ypres; particularly, they make possible a study of its finances like that by Espinas on Douai or by Knipping on Cologne. They will furnish many concrete bits on the life of townfolk in the Middle Ages and later. They will help to clarify the history of the county of Flanders, whose fortunes were so intimately bound up with Ypres among other towns. Also, they will aid in tracking those international interests in which the Netherlanders of that time were involved.

This first volume makes these documents available only to 1316. Two more volumes, completing the first installment, are to reach only to the close of the democratic régime of 1325-1329. This is indeed a slow pace. It seems due, however, at least chiefly, to the fullness with which the material is given and to the care with which the editors are doing their part. Whoever gleans here will find his advantage ministered to in every reasonable way. Indeed the whole of the third volume of this installment is to be devoted to statistical tables, lists of certain officers, a glossary, an elaborate index, and possibly some *pièces justificatives*.

E. W. Dow.

A Suffolk Hundred in the Year 1283. The Assessment of the Hundred of Blackbourne for a Tax of One Thirtieth, and a Return showing the Land Tenure there. Edited by Edgar Powell. (Cambridge, University Press, 1910, pp. xxxiv, 121.) In this handsome volume Mr. Powell has edited and analyzed with scholarly care some documents illustrative of economic conditions in the hundred of Blackbourne, county of Suffolk, near the close of the thirteenth century. The principal document is a subsidy roll of unusual interest since it records not only the name of each taxable and the total money value of his property, but also states the quantity and money value of the different kinds of grain and the number and money value of the different kinds of stock constituting that property. Moreover, from contemporary records the editor has been able to determine the status of a number of the people named in the lists. A second document, derived from a *quo warranto* return, gives details of the tenures of the free lands held in the hundred from the Abbot of Bury St. Edmunds. Extents of four manors, dating from the year 1302 and describing the services and payments due from the villein tenements, are of considerable interest. In notes on the several villages of the hundred Mr. Powell summarizes the contents of many nearly contemporaneous *inquisitions post mortem*, manorial records, references in assize rolls, etc.; and for purposes of comparison gives statistics of the present population, acreage, and number of inhabited houses.

Le Domostroï (Ménagier Russe du XVI^e Siècle). Traduction et Commentaire. Par E. Duchesne. (Paris, Alphonse Picard et Fils, 1910, pp. 168.) This is one of the many excellent contributions which French scholars have made to the study of Russian history. It places in the hands of students not reading Russian a well-edited text of an invaluable, and, at the same time, highly interesting source for the sixteenth century. In addition to a translation of the text, M. Duchesne gives a brief summary of the controversy occasioned by the existence of two versions of the Domostroï: the Konchine or short version discovered in 1848, and the longer edition belonging to the Historical Society of Moscow. He reviews the arguments of I. S. Nekrasov in support of the more probable authenticity of the latter, but agrees with A. V. Mikhailov against Nekrasov in favor of the shorter text as being closer to the unknown original. He accepts the prevalent opinion, which assigns the original compilation of the treatise to Silvester. As to its historical value, he disagrees with K. S. Aksakov who believes it a mere imaginary picture, and holds with A. Afanasiev and Porfiriev that it reflects faithfully the economy of the average well-to-do household in the Moscow of the period.

If any comment might be made upon the text which M. Duchesne adopts, it would be upon the freedom with which he has omitted here and there passages in his judgment unimportant. This exercise of

ensorship is perhaps to be regretted in view of the desirability of a complete text. Would one omit from an edition of *The Babee's Boke* of 1475, for example, the quaint etiquette about caring for the nose, because it might seem, to use M. Duchesne's language, "peu décente"? All the omissions, however, are duly acknowledged in the notes; and these in turn are a useful supplement to the text. A list of the various manuscripts of the *Domostroï*, given among the appendixes, and a table of variations by chapters, are serviceable in following the controversy over the long and short versions.

C. E. FRYER.

Commercial Relations of England and Scotland, 1603-1707. By Theodora Keith, B.A. With a preface by W. Cunningham, D.D., Archdeacon of Ely. (Cambridge, University Press, 1910, pp. xxiii, 210.) This little volume forms the first of a projected series of *Girton College Studies*. Based upon an intelligent and painstaking use of original materials and an adequate reading of the secondary literature, it is a real contribution to an important aspect of the history of England and Scotland in the seventeenth century. While such subjects as Scottish trade relations with England, Ireland, the Colonies, and the Continent, attempts at settlement in the New World, and the growth of manufactures, are handled with reasonable fullness, the main interest centres about the effect of the union of the crowns on these questions and their effect in turn upon the later incorporating union of 1707. The fact is established that commercial considerations played a greater rôle in keeping the two countries apart during most of the seventeenth century than has been generally recognized; the unsatisfactory nature of the union under the Commonwealth is made clear; and the new conditions after the Restoration are emphasized which made the closer union a necessity, albeit a bitter one to many.

Miss Keith in order to enforce the leading points of her thesis has indulged in overmuch repetition, and in her copious extracts from the sources she has preserved the archaic spelling, which, while it helps to preserve the quaint flavor of the original, adds to the difficulty of the reader. Archdeacon Cunningham contributes an appreciative preface in which he brings out the value of Miss Keith's contribution; but he is a bit optimistic in thinking that, but for commercial difficulties, a religious adjustment might have been brought about between the two countries. The theocratic element in Scotch Presbyterianism was something that the majority of Englishmen could never be brought to accept. There is a full list of authorities, but, alas, no index.

A. L. C.

The First Duke and Duchess of Newcastle-upon-Tyne. By the author of *A Life of Sir Kenelm Digby*. (New York, Longmans, Green, and Company, 1910, pp. xiii, 287.) It is not easy to say what one likes about

a volume which has for its preface the comprehensive disclaimer that "The compiler of these pages does not labour under the delusion that he has written a book", but from his study arm-chair has placed in the reader's hands passages from other volumes and manuscripts which throw light on the lives of the first Duke and Duchess of Newcastle. If, indeed, he had been content with this and not added the "few remarks, either of introduction or retrospection", which unfortunately cannot be, as he says, "skipped at will", his work might have been rated, perhaps, higher than it now will be. The worthy pair whose lives he here depicts no doubt deserved a biography, since other and less eminent individuals have their memories thus embalmed. One may not be wholly certain, however, that this volume, despite their claims to such immortality, quite meets the case, though it contains a summary of pretty much all found elsewhere and in some cases not easily found in print, together with some new material. But with all its beauty of printed form, reflecting great credit on its publishers, it still remains a curious biography of two curious people. It throws little new light upon those tolerably well-known figures whom it describes, nor does it alter our judgment of them in any appreciable degree. The one great charge against the duke, that of cowardice or treachery in his flight to the Continent after Marston Moor, has already been pretty well disproved; the one great charge against his second wife, the disease of *cacoethes scribendi*, her own voluminous works have more than proved. This, and whatever else there was left to say, is here set down with much verbosity. One may regret the superfluous, trite, and sometimes irritating comment, the occasional lack of adequate historical setting, the superfluity of adjectives, above all the decline and fall of Wotton's famous joke about ambassadors into the form it finds here (p. 8). But there remains, none the less, a good deal worth saying, and if one cannot agree with it all, if, as in the case of the composite account of Marston Moor, he would sometimes desire more references, he may still find here much of curious interest and something of real value not easily accessible elsewhere. Yet one may still prefer the author's previous "misfortune" which led "his readers over rather muddy roads into somewhat shady places" to these "smooth paths paved with the strictest propriety", "these regions 'of sweetness and delight' where they may bask in the sunshine of unmitigated respectability", to use the author's own verbiage. For *The Curious Case of Lady Purbeck* was a much more interesting book.

W. C. A.

J.-P. Brissot: *Mémoires (1754-1793)*. In two volumes. Publiés avec Étude Critique et Notes par Cl. Perroud. [*Mémoires et Documents relatifs aux XVIII^e et XIX^e Siècles.*] (Paris, Alphonse Picard et Fils, 1910, pp. li, 401; 405.) Any one who has made use of M. Perroud's *Lettres de Madame Roland* and his *Mémoires de Madame Roland* must

have anticipated a contribution of permanent value to the study of the French Revolution in his promised critical edition of the memoirs of Brissot. Such expectation is fully justified by the present work. The problem which confronted M. Perroud was a difficult one. The only edition of Brissot's memoirs of any importance was that of M. de Montrol in four volumes published in 1830-1832. This edition was early regarded with suspicion, some critics holding that it was entirely apocryphal, while the more lenient accused the editors of making extensive additions. The solution of the question was rendered more difficult by the fact that the original manuscripts which M. Montrol claimed to have in his possession have disappeared. The question had therefore to be decided largely by internal evidence. M. Perroud's conclusions which he sets forth with detailed evidence in his critical preface already published in part in the *Révolution Française* are as follows: that Brissot did leave memoirs but that the edition of M. Montrol does consist in large part of interpolations. Of the 1300 pages of the edition of 1830 he finds that 600 pages were taken from other works though for the most part from those of Brissot himself. A hundred pages appear to M. Perroud suspicious, while another hundred consist of letters written or received by Brissot. In dealing with this varied material M. Perroud carefully separates the wheat from the chaff. The correspondence he removes with the intention of publishing it together with other letters under the title of *Correspondance de Brissot*; the suspicious pages he retains, but prints them in smaller type; the clearly interpolated matter he likewise puts in smaller type or else suppresses it altogether according to the demands of the context. But in every case where he has deviated from the text of M. Montrol he clearly indicates the fact with his reasons for the change.

After all this sifting there remain about 500 pages of the original edition which are certainly Brissot's own work and form his real memoirs. They divide naturally into two parts: the first dealing with his childhood and youth and covering the period of his life up to 1787, the second consisting of his account of his arrest and two *projets de défense*. The lacunae fall for the most part within the years of his greatest activity as a leader in the Revolution. What is left is, however, of great value. The story of his youth not only throws light on Brissot's personal character but also illuminates certain phases of pre-Revolutionary unrest; while his plans for defense serve to clarify his aim during the Revolution. The value of the edition is increased by copious notes, a list of Brissot's works, and a brief discussion of his various portraits. M. Perroud's work is then a conclusive evidence of the danger of relying on uncritically edited memoirs and at the same time it furnishes a firm foundation for a further study of Brissot.

ELOISE ELLERY.

Les Mavroyéni: Histoire d'Orient (de 1700 à nos Jours). Par Théodore Blancard. In two volumes. (Paris, Ernest Leroux, 1909, pp. xv, 763, 824.) The 1500 pages of these two volumes are based in part upon the author's earlier work (*Les Mavroyéni: Essai d'Étude Additionnelle à l'Histoire Moderne de la Grèce, de la Turquie, et de la Roumanie*, Paris, 1893). The first book consisted chiefly of documents, which are in some cases reprinted in the present work, but frequently only a reference is given to the edition of 1893. A large number of additional documents, however, are now published for the first time. Unfortunately their origin is not always indicated. Many are translated into French, but some remain in the original modern Greek. References to secondary works are frequent, yet there is a lack of discrimination shown, and on many occasions, when a definite statement is made as the basis of a series of significant inferences or important conclusions, no authority which can be traced is given. The method and accuracy of the author and editor are therefore open to criticism. But of his optimism and industry no one can have doubt.

And now what of the Mavroyéni? There is little doubt that the authentic history of the family begins in Paros. The most celebrated descendant of this stock was Nicholas Mavroyéni, who entering Turkish service became Hospodar of Wallachia. There as elsewhere in the last quarter of the eighteenth century he endeavored to maintain Turkish authority, thus incurring the hatred of the Roumanian gentry and the jealousy of officials at Constantinople. Finally he was strangled by order from Constantinople. This not unusual end to a brilliant administrative career following his endeavors to mitigate certain tendencies of Turkish rule served to preserve in Greek minds an affectionate memory. Other representatives of his family rose to moderate and safer rank in Turkish service, while in several cases Greek nationalism enlisted their succor. One, however, continuing in Turkish service became physician to Abdul Hamid II. He has left some interesting notes as to the life and characteristics of his imperial patient (II. 39 ff.). But may we not imagine that in general "he must have a long spoon that must eat with the devil"?

In the main the second volume is devoted to uneven yet benevolent memoirs of less notable members of the family. On the whole, therefore, the chief value of the books lies in the documents, many of which cast a certain light upon events in the history of the Eastern question, or which serve to illustrate conditions and characteristics of Levantine life during the last two centuries. Few people will read these volumes. A number of students may occasionally use them with profit, but that is to say also with caution.

ALFRED L. P. DENNIS.

British Credit in the Last Napoleonic War. By Audrey Cunningham, B.A. With an appendix containing a reprint of *Des Finances de*

l'Angleterre, by H. Lasalle. (Cambridge, University Press, 1910, pp. vii, 146.) This essay, the second of the *Girton College Series*, treats of Napoleon's Continental System as an attack on British public credit. Nominally the system forbade all commercial intercourse with Great Britain. In practice, exports thither were permitted, at times on a quite extensive scale. In 1810 Great Britain received from the Continent by Napoleon's consent two million quarters of wheat, worth in that season of scarcity ten millions sterling. Payment, in the absence of counter-vailing British exports, would be in gold; hence the entire system, with its exceptions of this nature, has been ascribed to a survival in Napoleon of the crude Mercantilist view that a nation's wealth consisted of its exports, while imports, since they drew away its gold, were a national loss. Miss Cunningham's diagnosis is more flattering to the Corsican. According to the view here presented, his purpose in the system and its drain upon British gold was not so much to annihilate Great Britain's wealth as so to deplete her gold reserve that the home credit of the government and of the Bank of England must collapse. An avowal by Napoleon of such a design has not been discovered by the essayist, but facts which sustain her view are marshalled with skill. The evil experience of France from the excessive issue of public loans and paper currency under the Old Régime, where the resulting financial difficulties culminated in the Revolution; the prevailing opinion of contemporary French publicists that similar dangers were ripening in England from the survival there of a like system of borrowing and banking; Napoleon's acquaintance with the views of these publicists, especially De Guer, and his own aversion to public debt and paper currency—these subjects, with accompanying details, are exploited by the essayist in the first portion of her work, and with the concluding chapters on the Continental System and its effects and failure as an attack on British credit, they constitute an able discussion and argument of her thesis.

The reprint of Lasalle's work, published in 1803, occupies sixty pages. It is an unfavorable analysis of contemporary British public finance.

H. M. BOWMAN.

The Governance of Empire. By P. A. Silburn, D.S.O., Member of the Legislative Assembly of Natal. (London, Longmans, Green, and Company, 1910, pp. x, 347.) Mr. Silburn describes himself as a colonial; according to the preface, his purpose in writing under the title, *The Governance of Empire*, is "to present a colonial view of the imperial idea". This promises well, if only as a colonial supplement to the literature of imperialism issuing from English sources. But the anticipation of perhaps a new point of departure in the discussion of the imperial problem ends in disappointment: one finishes the book with the clear impression that there is nothing distinctive in the colonial view of the imperial idea, unless it be its somewhat late repetition of what has been written frequently elsewhere.

This, it may be suggested, is equivalent to saying that Mr. Silburn's work is superfluous; and criticism might stop here, except that the work seems to call for further comment. Of the two parts into which the book falls, the latter bears all the marks of a campaign pamphlet of the Northcliffe stamp, inspired by the approach of the first general election in 1910. The former pursues an historical and analytical review of federal and imperial government from the Achaian League to the last conference of colonial prime ministers in London. This too ambitious task becomes little more than the piecing together of free abstracts from a few standard authors. With the necessity for an immediate federation of the empire as a thesis, and an all-red imperialism as a policy, the author easily finds from his historical survey that the "lessons of history" all go to support his particular view of the imperial idea. Such special pleading may be conceded to a pamphleteer. It no more merits discussion than the loose and inaccurate statements upon which it is based merit criticism.

Mr. Silburn shares in the panic, common in all recent general elections, that the empire is about to disintegrate. Strangely enough he attributes the approaching disaster to socialism. Is this perhaps an echo of Unionist platform oratory, or only a curious survival of mid-Victorian prejudice in a distant colony? Socialism, it seems, is responsible for nationalism in Australia; and Mr. Silburn sees in colonial nationalism nothing but a disruptive force. By a simple inversion of the logical process he argues that because there is a nationalistic party in Canada, the Dominion must be going over to socialism! To combat the evil the empire must be federated without delay, and the House of Lords, as the safeguard of society, strengthened! Most astonishing of all, in view of the coming naval war with Germany, which Mr. Silburn assumes to be inevitable, is his proposal immediately to sink the German fleet, or after sequestrating it to confine the naval armament of Germany within restricted limits (pp. 258-259)! Between socialism in Australia and jingoism of this type, it is not difficult to decide from what quarter the empire is most threatened.

C. E. FRYER.

Proceedings of the Massachusetts Historical Society. Volume XLIII., October, 1909-June, 1910. (Boston, the Society, 1910, pp. xx, 754.) Much the most remarkable thing in this volume is the account which the youthful Henry Adams wrote for his brother in March, 1861, of the Secession Winter. It may well be doubted whether any other American youth of twenty-two since Alexander Hamilton could have written contemporaneously such a survey of a session. Others papers of high interest, aside from certain memoirs of deceased members, are that of Mr. Charles Francis Adams on Washington and Cavalry, that of Professor Channing on the American Board of Commissioners of Customs, and that of Mr. Andrew M. Davis on the currency pamphlets of John Valen-

tine and Hugh Vans. Most of the volume, however, is made up of documentary pieces. Of these the most interesting group is that of the war letters of Dr. Seth Rogers, 1862-1863, surgeon in one of the black regiments on the Carolina coast. Next in interest the reviewer would rate the first draft of Hamilton's report to Washington on the constitutionality of a national bank. Others, mentioned in order of chronology, are two tracts of the Davenport-Paget controversy, a body of letters to President Joseph Willard from English correspondents, a series of letters of Noah Webster to Timothy Pickering, a political letter of Isaac Hill, 1828, an important one of William B. Lewis to Jackson, 1839, John Quincy Adams's lecture on the Opium War, and a group of letters of George Bancroft to President Polk, chiefly concerning the Mecklenburg Declaration.

The Early Courts of Pennsylvania. By William H. Loyd of the Philadelphia Bar. (Boston, The Boston Book Company, 1910, pp. ix, 287.) With the appearance of this volume by one of its lecturers, the Law Department of the University of Pennsylvania enters upon the publication of post-graduate monographs. Mr. Loyd labors under two necessary limitations in this work, namely, the lecture basis for a book and the nature of his field wherein a critical consideration of William Penn is liable to the charge of *lèse-majesté*. Yet, while his work is more or less technical and is intended for students of the law, he has produced a generally valuable and readable survey of court development (1) in the experimental stage before 1701, (2) in the period of permanent growth to the Revolution, and (3) in the constitutional era previous to the code revision of 1836, together with an excellent historical chapter on that most interesting Pennsylvania subject, Equity, and chapters on two courts, Register's and Orphans', and on Road Viewing Provisions. In this has been shown the necessity of a historical study of the colonial basis of the Pennsylvania system in order to account not only for departures from the common law, but the methods of equity and other features of the state's courts. The second limitation has been overcome to a certain degree, but, while one appreciates the author's scholarly attitude, one also wishes evidences of a stronger grasp of the great fundamental basis of such a survey, the half-century or more of struggle between democracy, as led chiefly by the Pennsylvania commoner, David Lloyd, and the paternal vice-royalty of William Penn. This grasp is all the more needful as Lloyd was the greatest single influence in the development of the courts. It must be confessed, however, that the author has shown more than the usual judicial appreciation of both these influences. In the use of authorities, there are marks of thoughtful care on every page, so that one is greatly surprised to find such a cardinal one as the Lloyd docket of 1709-1732 not even mentioned, nor any consideration given to the work of that Revolutionary reconstructor of almost everything in Pennsylvania, including the courts, Justice George Bryan. On

the other hand, he has worked out more carefully than others the influence of Welsh institutions on Pennsylvania through David Lloyd and his compatriots, especially in the matter of equity provisions. He has done a service also in pointing out the need of further monographic work in this field. The volume has a fair index, but a university publication should insist on a little more severity in typographical proof-reading. Mr. Loyd has rendered a real service to both historical students and those devoted to a deeper understanding of American and Pennsylvania law.

BURTON ALVA KONKLE.

Great Britain and the Illinois Country, 1763-1774. By Clarence Edwin Carter, A.M., Ph.D., Assistant Professor of History in Illinois College. (Washington, The American Historical Association, 1910, pp. ix, 223.) Great Britain came into the possession of the Illinois Country by virtue of the adjustments with France after the Seven Years' War; but Lord Shelburne insisted that the English title was based upon the discovery and settlement of the Atlantic seaboard, and that the infinite parallels forming the north and south boundaries of the colonies included the Western country. Professor Carter deals with the relations that existed between the British government and the French settlements on the left bank of the Mississippi River above the mouth of the Ohio, during the period from the treaty of 1763 to the advent of the Americans under George Rogers Clark. No letter or document that throws light on the subject seems to have escaped this indefatigable searcher; and he has grouped the result of his findings in four chapters based on original researches and three chapters in which the work of others has been supplemented and subjected to a critical examination. For the towns themselves the period was one of arrested development. St. Louis, newly founded, drew to itself the more enterprising settlers; the expulsion of the Jesuits had left the entire country with but one priest; and the once formidable Fort Chartres had become a victim to the ravages of the Mississippi River. The materials to work upon, therefore, pertain rather to local than to general history. Moreover, the English government regarded the Western country, in the language of Lord North, as "the habitation of bears and beavers, with very few inhabitants; at present in a very disorderly and ungovernable condition". Hence the connection between the governing country and the remote settlements was rather on paper than actual; and the government itself, as Mr. Carter finds, was *de facto* rather than *de jure*. In short, this exhaustive study shows that while the plans for civil government were many and often elaborate, the actual authority was exercised usually by the commandant. The topical method of treatment leads to frequent repetition and to interruption of the sequence of events, save in the chapter devoted to the various schemes for a colony on the lower Ohio. In the effort to preserve a critical attitude towards his subject, the author has eliminated much matter that would have enlivened his discussion; and at times his

English is so involved as to make the reading difficult. Not the least valuable portion of the essay is the marshalling of sources, although longer acquaintance with the field of study will doubtless lead to a higher appreciation of the pioneer work done by some of this author's predecessors who had not at their service the documents more recently brought to light.

CHARLES MOORE.

The Transition in Virginia from Colony to Commonwealth. By Charles Ramsdell Lingley, Ph.D. [Columbia University Studies in History, Economics, and Public Law, vol. XXXVI., no. 2.] (New York, Longmans, Green, and Company, 1910, pp. 218.) Dr. Lingley has presented a very satisfactory account of the transition of Virginia from colony to state. The volume traces the developments in Virginia during the years immediately preceding the Revolution, and discusses in detail the events of the years 1774-1776. In a concluding chapter an account is given of the revision of the laws and the struggle for religious freedom, matters which have a close bearing upon the Revolutionary movement. Dr. Lingley indicates, though perhaps not with sufficient distinctness, the fact that from a governmental standpoint the transition in Virginia was an orderly one, and that in the main it simply involved the assumption of complete power by those who for years had been the leaders in the House of Burgesses.

In general there is little criticism to be made upon the manner in which the author has done his work. It would have been well to have summed up in more definite form the essential unity and continuity of the Revolutionary movement as it reflected itself upon the governmental organization, and more attention might properly have been given to the Committee of Safety as the executive organ of the Revolutionary government. The chapter on the Constitution of 1776 is good, but might have profited from some comparative use of constitutions adopted by other states in 1776 and 1777. Dr. Lingley, however, confines himself strictly to Virginia, and perhaps this may have been the method leading to the best results in a purely monographic treatment of the subject. But a wider point of view and the use of available material upon the Revolutionary movement as a whole would probably have produced a study more satisfactory in some respects. Dr. Lingley's monograph is, however, of distinct value, and merits a place by the side of Dr. Cushing's excellent study on the *Transition from Provincial to Commonwealth Government in Massachusetts* (Columbia University Studies, vol. VII.).

W. F. D.

Historic Shepherdstown. By Danske Dandridge. (Charlottesville, The Michie Company, Printers, 1910, pp. 362.) This book is both more and less than its title implies. The author gives such facts as can be learned of the early history of the community first known as Pack Horse

Settlement, then as Swearingen's Ferry, then as Mecklenburg, and finally as Shepherdstown, in West Virginia, but the book deals more largely with the whole region round about and even follows its *historiae personae* into fields remote. The Revolutionary period naturally receives most attention, for the materials for this period, though at best but fragmentary, are quantitatively larger than for others. The services performed by the troops from that region, particularly those led by Hugh Stephenson, Daniel Morgan, and Abraham Shepherd, are described with such fullness as the materials available permit. The journal of Henry Bedinger, of which the author made much use in her *George Michael Bedinger: a Kentucky Pioneer* (see the REVIEW for January, 1910, XV. 420), is quoted at length and is of particular interest for its account of conditions during the siege of Boston. Several chapters deal with the Berkeley County militia and their services in Virginia and elsewhere, and in these chapters the author has printed numerous letters not hitherto published. There are letters of Patrick Henry, Thomas Jefferson, Thomas Nelson, Lachlan McIntosh, William Davies, and others. One chapter is devoted to James Rumsey and his experiments on the steamboat. Although the material is not always well correlated the book is upon the whole a creditable piece of work in local history.

The Territorial Governors of the Old Northwest: a Study in Territorial Administration. By Dwight G. McCarty. (Iowa City, State Historical Society of Iowa, 1910, pp. 210.) This book is a study of the territorial government of the Old Northwest from the time of the American acquisition to the admission of Wisconsin into the Union in 1848.

The main purpose of the author has been to show the influence which the territorial governors had in shaping the policy and in the formation of the governments of the territories. Since the governors were given almost unlimited power, a record of their public acts becomes largely the history of the territory. The first two chapters are devoted to a general survey of the territory—the first showing the rich heritage of the territory in soil and climate and pointing out the influence which the rough frontier life had in developing the democratic spirit of the people; the second giving an account of the early attempts at government in the region.

The third and fourth chapters deal with the Ordinance of 1787 and the plan of government for the territory; also a statement of the powers, functions, and the importance of the territorial governor. Government during the first period was almost entirely in the hands of the governor with the assistance of three judges. During the second period, the colonies could elect members to the legislature, and Congress appointed legislative councilmen who assumed legislative powers. The governors, however, were given almost despotic power and herein lies the great influence which they had in shaping the policies and laws of the territory.

With this as a basis, the following chapters are devoted to the working out of the system of government as provided by the Ordinance of 1787. The government was first organized as a whole with Arthur St. Clair as governor and to him was given the task of working out a system of government over this vast wilderness of isolated settlements, including the hostile forces of the French, English, and Indians.

After the admission of Ohio into the Union, the author shows how the remaining country was successively organized into the Indiana, Illinois, Michigan, and Wisconsin territories under the original ordinance, and the remaining chapters are devoted to Governor Harrison of the Indiana territory, Governor Edwards of the Illinois territory, Governors Hull, Cass, and Mason of the territory of Michigan, and Governors Dodge and Doty of the territory of Wisconsin.

The book is not a detailed history, but it rather shows the forces at work and points out the important part played by the governors. It is supplemented by copious notes and a good bibliography and analytical index. In mechanical execution the book is characteristic of those issued by the State Historical Society of Iowa, and reflects much credit upon the society and its superintendent and editor.

The Writings of James Madison. Edited by Gaillard Hunt. Volume IX., 1819-1836. (New York, Putnams, 1910, pp. xxii, 666.) Mr. Hunt concludes his admirable series with a volume considerably thicker than its predecessors. In proportion to the mass of extant material the last seventeen years of Madison's life are traversed somewhat lightly. Where the Congressional edition of forty-five years ago printed over five hundred letters, he prints about a hundred and fifty, and some of these in the awkward compression and obscurity of foot-notes overrunning the page. But Madison had by this time ceased to be a man of action, and in his comments on the events which he surveyed from his place of retirement there is a certain sameness, so that compression is possible. Mr. Hunt has retained nearly all the important letters, especially those concerned with the interpretation of the Constitution, and has added some new letters of interest, especially from the collections hitherto preserved by the Chicago Historical Society. Room is found for "Jonathan and Mary Bull", the speech in the Virginia Convention of 1829-1830, and some other important documents not letters. Madison's will is also added, and an index, which seems very good, to the whole set of volumes except the third and fourth, which had a separate index of their own. Thus is worthily concluded a series begun in 1900, which has been maintained with great intelligence of editing, and which must long remain the standard edition of Madison's writings.

J. FRANKLIN JAMESON.

Morris Ketchum Jesup: a Character-Sketch. By William Adams Brown. (New York, Charles Scribner's Sons, 1910, pp. ix, 247.) This

book, which owing to the lack of available material is limited to a character-sketch rather than a biography, "is the story of a representative life, a life whose activities affected the welfare of many men, and whose services have left their permanent record in institutions of far-reaching influence". Morris Ketchum Jesup was "the ideal American layman", for, although originally trained for business, he developed sympathies and interests for "whatever enlarges and enriches human life".

Born in Connecticut in 1830, he early came to New York where, as banker and director of corporations, he became extraordinarily successful. Yet despite his many business interests he became so absorbed in charitable work that in 1884 he retired from business to devote his thought, time, and fortune to religious, philanthropic, educational, and civic interests. His activity in these fields may be judged from a mention of some of the positions he held from time to time: president of the Chamber of Commerce of the state of New York; president of the American Museum of Natural History; one of the founders and president of the Y. M. C. A.; president of the Peary Arctic Club; president of the American Sunday School Union; member of both the Peabody and the General Education Boards; and a member of many other institutions of a similar character. In this congenial work he continued active till his death which occurred in January, 1908.

The book should prove valuable reading not only to those who may be personally interested but to many others as well, for it touches upon the history of many important institutions and movements and shows the many possibilities for doing good that are open to a man of the character of Mr. Jesup.

J. F. PEAKE.

The Illinois State Historical Library published in 1899, as vol. I., no. 1, of its publications, *Newspapers published in Illinois prior to 1860*, by Edmund J. James. A new edition of that work, revised and enlarged by William Franklin Scott of the University of Illinois, has just been issued by the library, with the title *Newspapers and Periodicals of Illinois, 1814-1879* [Collections of the Illinois State Historical Library, vol. VI., Biographical Series, vol. I., pp. cvi, 610]. The book is introduced by a valuable historical survey, eighty pages in extent, of the Illinois press during the period treated, which also sheds light on political history and methods in the state. The first section of the bibliography (pp. 363) is a descriptive list of newspapers and periodicals chronologically treated within an alphabetical arrangement of towns. The vicissitudes of name, editorial charge, and political affiliation are set forth, often with considerable fullness, and indication is given where files of the publication may be found. Another section lists, under an alphabetical arrangement, first according to the location of the libraries, secondly, according to the place of publication, the issues of Illinois newspapers in libraries within the state. A similar list shows what issues

of these papers exist in libraries outside of Illinois. There are also a chronological list of newspapers issued before 1850, an index of the publications mentioned in the volume, a separate index of persons, and another of the counties in which the publications were issued. There are photographic reproductions of a few of the earliest newspapers published within the state.

Academy of Pacific Coast History, Publications. Volume I. (Berkeley, University of California, 1910, pp. 358.) The new Academy of Pacific Coast History makes an excellent beginning by publishing this handsome volume, chiefly composed of documentary materials, with several facsimiles of titles or pages of the documents. Professor C. C. Plehn's account of the San Francisco Clearing-house Certificates of 1907-1908 was mentioned in these pages upon its appearance as a separate pamphlet. Professor R. W. Kelsey's history of the United States Consulate in California, without slighting the ordinary features of consular business, is principally a study of the political and diplomatic activity of the one American consul at Monterey, Thomas O. Larkin, whose papers are preserved in the wonderful Bancroft Collection at Berkeley. It helps in many particulars toward a better understanding of the acquisition of California by the United States. The rest of the book consists of documents, well and sufficiently edited. Three deal with the expedition of Gaspar de Portolá of 1769-1770—namely, the official summary (rare print), Portolá's diary (manuscript), and the *Diario Historico* of Miguel Costansó (Mexico, 1770). There is also a brief diary of one who was a member of the Donner party; and a beginning is made of the papers of the Vigilance Committee of 1851 by printing its constitution and the list of its members. The work of editing the volume has been mostly done by Mr. Frederick J. Teggart.

Le Dernier Evêque du Canada Français, Monseigneur de Pontbriand, 1740-1760. Par Vicomte du Breil de Pontbriand. (Paris, Honoré Champion, 1910, pp. 326.) The somewhat obscure and neglected figure of the last Bishop of New France deserved greater prominence in history. Justice has been done to his memory by a great-nephew of the saintly prelate. By judiciously utilizing the available sources, mostly second-hand, the author assigns to his venerable ancestor the true part—a very important one—he played in the events, religious and political, that marked the close of the French domination in America.

Mgr. Pontbriand's episcopate of eighteen years (1742-1760) comprises two distinct periods. The first was a time of reorganization and of pastoral labor. Entering generously on his humble and arduous career, he never once looked back, nor returned to the mother-country. The too rapid succession of his three immediate predecessors had left much to restore and consolidate. He set to work with truly apostolic zeal, visiting the widely scattered settlements, unsparingly distributing God's word,

and providing withal for the spiritual advancement of the clergy and religious sisterhoods.

The second period of Pontbriand's biography begins with the outbreak of the Seven Years' War (1754). Not only is it contemporaneous with the tragic events that heralded the downfall of New France, but his very life was interwoven with the alternate fortunes of his fellow-countrymen. As occasion required, the pastor's voice was raised in turn to exhort and advise, to console and fortify his flock. The dispersion of the Acadians, with its consequent dangers for their faith, the brilliant feats of arms of the French commanders, the fatal battle of the heights of Abraham, all find an echo and a lesson in the bishop's *mandements*. Judiciously and appropriately quoted, these form, in our opinion, the chief feature of this biography, a parallel history, so to speak, of that eventful period. Though written in the somewhat mannered style of the day, they are replete with the unction of genuine charity and aptly interwoven with texts from Holy Scripture.

The brokenhearted and dying pastor fulfilled his mission to the last. From his retreat in Montreal, he urged his people to co-operate with the brave Lévis in his last engagement at St. Foy (1760), where a brilliant French victory ended the fight for Canada.

The author concludes by a just tribute to the liberality of British institutions compared to the hostile attitude towards the Church exhibited by the French government of the day. We must regret that he has been unable to control, by later historical publications, certain appreciations by the author of *Montcalm and Lévis*. A few geographical inaccuracies have likewise escaped his attention. But such trifling blemishes hardly detract from the merits of an otherwise reliable and commendable work.

The History of Kings County, Nova Scotia, Heart of the Acadian Land. Giving a Sketch of the French and their Expulsion; and a History of the New England Planters who came in their Stead, with many Genealogies, 1604-1910. By Arthur Wentworth Hamilton Eaton, M.A., D.C.L. (Salem, Mass., Salem Press Company, 1910, pp. xii, 808.) It is because Kings County in Nova Scotia is the scene of the expulsion of the Acadians in 1755 and was settled thereafter by New England planters that gives this book more than a local interest.

Concerning the Acadian expulsion, Dr. Eaton presents a judicial narrative of the well-known facts rather than a controversial discussion of the justice or injustice of the deportation. His general attitude largely harmonizes with that of Professor Edward Channing in his *History of the United States*. It is in effect that the Acadians unfortunately for themselves occupied a strategic location in the contest for the possession of the New World, towards the decision of which their removal materially aided. Only one like the author born in the county of Kings could describe with such accuracy of detail the various settle-

ments of the Acadians, the location of their roads, dykes, and habitations, and the existing remnants of their tragic expulsion. It is in this minute and accurate setting of the scene that the value of Dr. Eaton's contribution on this subject to the historian largely consists.

The coming of the New England planters is by far the most important feature of the book in general historic interest. In a paper read before the American Historical Association in 1890 (see *Annual Report* for 1891, pp. 41-42) the writer of this review first made public the facts of the earlier New England migration between 1760 and 1770 whereby the fourteen "old townships" of Acadia received their settlement. Dr. Eaton's account is limited to two only of the original townships, those of Horton and Cornwallis in Kings County, but the description of the causes and manner of their settlement is applicable to the entire migration. With such thoroughness is it written that even the towns are traced, mainly in Connecticut but in part also in Massachusetts, Rhode Island, and New Hampshire, to which the original grantees belonged. Successive chapters devoted to county government; to roads, travelling, and dykes; to the chief industries; to houses, furniture, and dress; and to marriages; domestic life, slaves, etc.; reveal the all-pervading influence of New England in the Acadian land. The subsequent Loyalist migration with its potent influence on the social and intellectual life is likewise well set forth. The book must thus always prove a veritable mine of detailed information to any future historian who may deal with New England migrations.

The work is well printed, but two volumes might have proved of more convenient proportions. It would, moreover, be difficult to mention any other county history that combines such excellence of literary form with historical accuracy.

BENJAMIN RAND.

El General Paredes y Arrillaga. Su Gobierno en Jalisco, sus Movimientos Revolucionarios, sus Relaciones con el General Santa Anna, etc., segun su Propio Archivo. [Documentos Inéditos ó muy Raros para la Historia de México, publicados por Genaro García.] Tomo XXXII. (Mexico, Bouret, 1910, pp. 7, 264.) General Paredes, to Mexicans an important figure as soldier, politician, and chief magistrate, is of particular interest in the United States because he gained the presidency as an advocate of war with this country, and did in fact order his troops to attack Taylor. Señor García had the good fortune some years since to obtain his papers, numbering about 5000 pieces, and he is now giving us the benefit of this acquisition. The present volume contains letters that passed between Paredes and many of the leading men of his nation from July 5, 1833, to November 12, 1844—principally in 1842-1844. The most interesting subjects, especially for Americans, are two. The first is the explanation of his domestic political policy (see particularly pp. 41-43, 46-47, and 50-54). He compared the congressional system that

had prevailed in Mexico to a council of war in which generals, officers, and privates should decide questions by a majority vote; and he desired to confine political power to the well-to-do classes, who had an interest in maintaining order. In 1842 he earnestly recommended this plan to Santa Anna, who had been given an opportunity to reshape the destinies of his country; but Santa Anna did not follow the advice, and Paredes (though ostensibly for another reason) inaugurated the revolution which overthrew him in December, 1844. The preliminaries of that movement form the second principal subject, with which portions of the first half (notably pp. 57-62) and the greater part of the latter half of the volume are concerned. Particularly interesting (p. 182) is the mention of rumors in October, 1844, that two revolutions were already afoot: one in favor of the Congress, and the other to make Santa Anna supreme protector, that is to say, permanent autocrat. Numerous light but valuable editorial touches are to be commended, and also the intimation of the preface that more of these important papers are to be printed.

JUSTIN H. SMITH.

La Intervención Francesa en México segun el Archivo del Mariscal Bazaine. Decima Parte. [Documentos Inéditos ó muy Raros para la Historia de México, publicados por Genaro García. Tomo XXXIII.] (Mexico, Bouret, 1910, pp. 264.) This tenth volume of documents from the papers of Marshal Bazaine contains seventy-six letters and telegrams originating between September 11 and November 15, 1865. Interest in the contents of the volume will centre in the evidence presented upon the relations of the United States with the contending parties in Mexico. It cannot be said that the publication necessitates modification of already established views upon that situation. Yet here are useful detailed reports from Vice-Consul Wurtemberg and General Mejia, stationed in Matamoras, upon the assistance given to their Republican opponents from the Federal headquarters at Brownsville. Wurtemberg considered that the greatest danger sprang from inability to place any reliance whatever upon loyalty of Mexicans in Matamoras to the French and the Empire. Then there are significant negotiations between Bazaine and certain Texans, looking to service against any Federal forces that might invade Mexico.

Señor García has sad difficulty in printing the English text of certain letters (see pp. 45, 50, 243, 250). A reviewer may not safely proceed very far upon inference as to the probable reading of manuscripts, but certainly the editor who occasionally inserts the warning "[sic]" after an error may be held responsible for many more of the same kind which are not thus noted. Accurate editing and careful proof-reading are minimum requirements for the printing of documents.

C. A. DUNIWAY.

TEXT-BOOKS

Notes on British History. By William Edwards. Part IV. *From the Treaty of Versailles to the Death of Queen Victoria, 1783-1901.* (London, Rivingtons, 1910, pp. xii, 641-1050, xxiii-xli.) This is a cram book, but a most excellent one. It is not simply a list of events, but it states adequately the causes of the events and their results. It also arranges the facts under distinct topics, instead of merely following the chronological order. This necessitates some repetition, but the plan is worth more than it costs. Further, the writer gives a summary of the career of each of the prominent men of England in the nineteenth century which is well worth while. The book is also very inclusive. It treats of the entire empire, and not merely of Great Britain; it gives summaries of foreign events, where these in any way involved Great Britain; it treats not only of political history, but of the history of religion, education, public health, science, trade, and industry. In every one of these respects the book commends itself for its completeness and usefulness.

It can be said, too, that the writer is wholly unpartizan, whether he is treating of home or of foreign politics. It would be difficult to determine from his book what opinions Mr. Edwards holds either in politics or in religion.

The author furnishes a bibliography with each summary. But these bibliographies are extremely limited, and quite inadequate, at least for the use of American teachers. Moreover, the books cited are not always the best for the purpose.

The accuracy of the work is admirable. Of course mistakes are inevitable in a book of this character. Naturally they are more frequent in the summaries of foreign affairs than in those of domestic affairs. I note the following: The quotation from Fox on page 653 is not exact; the statement that the peasantry under the Old Régime retained only eighteen francs out of every hundred earned is probably incorrect (p. 657); the representatives of the people were not "refused admission to the Assembly by the nobles and clergy" in 1789; on page 660 Place de la Révolution should be Place de la Nation; Jacobins should be Montagnards (p. 660); it would be more accurate to say 75,000,000 francs instead of 60,000,000 (p. 678); the summary about Germany (pp. 805-806) seems to me inaccurate; "1812-13" on page 692 should be "1812-14"; "American ship" (p. 694) should be "American man-of-war"; Ney did not promise to bring Napoleon to Paris "in an iron cage"; a summary of the French Revolution which does not mention Danton is inadequate. The facts about Schleswig-Holstein (p. 852, par. 1) are all wrong. On page 854, under (3), Hongkong should be Canton; Lincoln was not an Abolitionist (p. 857), nor were the Abolitionists in a majority in Congress in 1860 (p. 356); Northerners on page 859 should be United States; the pope was left with something more than the Vatican after

the taking of Rome in 1870 (p. 307) ; while what Edwards says about the outcome of the Venezuela affair (p. 978) does not seem to be quite correct.

RALPH C. H. CATTERALL.

English Political Institutions: an Introductory Study. By J. A. R. Marriott, M.A., Lecturer and Tutor in Modern History and Political Science at Worcester College, Oxford. (Oxford, Clarendon Press, 1910, pp. viii, 347.) "This book", says Mr. Marriott, "is intended as an introduction to the study of English Politics. . . . My primary object has been to set forth the actual working of the English Constitution of to-day, and to do so with constant reference to the history of the past." The work is well done and on the whole successfully done. Marriott has undertaken to classify constitutions, to point out the salient features of the English Constitution, to discuss the executive, legislative, and judicial powers, to treat of Parliamentary procedure, of local government, and of the relations between the British state and the empire. In every case he has preceded the political science of his subject with its history. Of course everything he says is based upon secondary sources, but the books he relies upon are the best in their various fields and he shows a thorough comprehension of what his authorities are talking about. His remarks on the growth of the executive at the expense of the legislature, on the powers of the crown to-day, and on the distinctions between constitutional law and constitutional conventions, though not original with him, are well stated and properly emphasized.

The book will be useful to all teachers of the subject in elementary classes. For their use, it could hardly be better. The criticisms to be made are few and mostly have to do with matters of detail. The writer fails occasionally to give references which are sufficiently exact. For example, a reference to Clarendon's *History of the Rebellion* is not a sufficient reference. He is a little careless, too, in his verbatim quotations. Moreover, it is not scientific to quote from the Grand Remonstrance or the Petition of Right as if they were authorities for the facts of Charles I.'s reign. I do not agree that the absence of the monarch from the cabinet is one of the marks of the cabinet. It was necessary to the growth of the system, but that is all that can be said. In speaking of the three estates, Marriott always names the nobility first, which is incorrect. The clergy is always the first estate. What he says about the power of the House of Lords in the eighteenth century does not seem to square with what he later says about the power of the Commons in the same century. Chapter v., on the Civil Service, seems to me inadequate. The power to elect a mayor was not first granted to London in Magna Charta.

RALPH C. H. CATTERALL.

COMMUNICATION

NEW ORLEANS, February 10, 1911.

TO THE EDITOR OF THE AMERICAN HISTORICAL REVIEW:

My dear Sir:

IN reviewing a certain book, I stated that Aberdeen's note of September 11, 1843, to Ashbel Smith, the minister of Texas, contained the word "improperly". This was denied by the author in the January number of the REVIEW, page 403. As the shortness of the time that could be allowed me for replying to him did not permit me to offer a positive confirmation of the excellent authority upon which I had relied, I confined myself to indicating the basis of my statement (*ibid.*, p. 405); but I have since received from Hon. W. B. Townsend, Texas Secretary of State, a copy of Aberdeen's note, and there find the word in question. This copy is enclosed herewith for preservation in your files.

Obviously, since the note passed into the hands of Texas, the decisive answer to any question regarding it is to be looked for in the archives at Austin.

Respectfully yours,

JUSTIN H. SMITH.

NOTES AND NEWS

AMERICAN HISTORICAL ASSOCIATION

The second volume of the *Annual Report* for 1908, a volume of nearly 1600 pages, completing the Diplomatic Correspondence of the Republic of Texas, will probably be ready before the issue of the next number of this journal. All galley-proofs of the Annual Report for 1909 have been read, including "Writings on American History, 1909".

The Committee on Bibliography is privately circulating, for corrections preliminary to final print, its list of volumes of sources for European history contained in American libraries.

The preparation of the Association's biennial *Handbook* is at such a stage that members sending prompt notice of new addresses and other corrections may still hope to be in time to have them entered.

In the series *Original Narratives of Early American History*, the volume of *Narratives of Early Carolina*, edited by Mr. A. S. Salley, Jr., is published by Messrs. Charles Scribner's Sons at about the same date as this journal.

At the instance of the American Historical Association Mr. David M. Matteson has begun the preparation of a General Index to all the publications of the Association including the five volumes of *Papers* and the whole series of the *Annual Reports*. It may be expected that the index (probably two volumes) will be ready for publication in 1913.

PERSONAL

Father Charles de Smedt, S. J., for many years president of the society of the Bollandists, died at Brussels March 4, aged seventy-eight. Besides collaboration in several volumes of the *Acta Sanctorum*, an edition of the *Gesta Episcoporum Cameracensium* (1880), and many contributions to learned periodicals, he was noted for mastery of historical criticism and as the author of two excellent books upon its methods, *Introductio Generalis ad Historiam Ecclesiasticam critice tractandam* (1876) and *Principes de la Critique Historique* (1883). He was the chief founder of the *Analecta Bollandiana*.

Rev. Hereford B. George, senior fellow of New College, Oxford, died on December 15, at the age of seventy-two. He was the author of *Genealogical Tables illustrative of Modern History* and of *The Relations of Geography and History*, both of which had passed into their fourth editions.

We notice with regret the death of Mrs. Alice Morse Earle. Her many books on the manners and customs of America in the colonial and Revolutionary period have given great pleasure to thousands of readers,

and have been marked by solid but unobtrusive learning as well as by skilful presentation and attractive style. Mrs. Earle was a woman of many high qualities and of much social charm.

The president and fellows of Harvard University have assigned to Professor Edward Channing the income for 1911 and 1912 of the Woodbury Lowery Fellowship, described in our last issue, page 411.

Professor Charles H. McIlwain of Bowdoin College has been elected to an assistant professorship of history in Harvard University, where his especial field will be the history of English law and institutions.

Dr. Theodore F. Collier, assistant professor in Williams College, has been elected associate professor of modern European history at Brown University, to take next autumn the place of Professor Wilfred H. Munro, who has resigned on account of ill health.

Professor Howard W. Caldwell of the University of Nebraska has been given leave of absence for a year.

GENERAL

The American Year Book: a Record of Events and Progress, 1910 (New York, Appleton, 1911, pp. xx, 867), edited by Dr. S. N. D. North under direction of a supervisory board representing national learned societies, with Professor Albert Bushnell Hart as chairman, appeared in February, and furnishes, in the different fields of statistics, history, politics, economics, industries, the physical and social sciences, a great mass and variety of facts as to status and the year's progress.

Besides the Indianapolis papers of Messrs. Goodwin and Dunn, noted elsewhere, the March number of the *History Teacher's Magazine* contained an article by Professor Frederick J. Turner upon The Place of the Ohio Valley in American History. The April number contains the article of Professor Charles M. Andrews mentioned in the same connection, a report by Professor Arthur I. Andrews of Simmons College on material for the visualization of history, an article upon historical atlases by Professor Don E. Smith, and one upon historical pictures by Miss Laura Thompson. The May number is expected to contain the Indianapolis papers of Professor Dawson, Professor Hoover, and Miss Riggs, detailed accounts of the work of history in the summer schools of this country, and a description of the historical work at the Oxford Summer School. The June issue will contain a reprint of the illustrated article upon English castles printed in pamphlet form for the (English) Historical Association.

B. G. Teubner, Leipzig, has published the first issue of a new journal (of which there will be six issues annually) bearing the title, *Vergangenheit und Gegenwart: Zeitschrift für die Geschichtsunterricht und Staatsbürgerliche Erziehung in allen Schulgattungen*, edited by Dr. Fritz Friedrich and Dr. Paul Ruhlmann. The publisher's introductory statement declares it to be the object of the publication to aid in the

development of "historisch-kritisches Sinnes" and of "eines historisch begründeten Verständnisses der Gegenwart". The editors are engaged in secondary school-work in Leipzig and they apparently aim to make the journal a direct auxiliary in this work.

The house of M. and H. Marcus, Breslau, has undertaken the publication of a collection entitled *Historische Untersuchungen*, edited by Conrad Cichorius, Georg Kauffman, Franz Kampers, and Georg Fr. Preuss. It will embrace monographs over the whole field of history including economic and Kulturgeschichte, and will begin with a study by Willy Cohn, *Die Geschichte der Normannisch-Sicilischen Flotte unter der Regierung Rogers I. and Rogers II. (1060-1154)* (Breslau, 1910).

In the *Revue de Synthèse Historique* for October there is a brief summary by the editor, M. Henri Berr, of the present phase of the controversy between Professor K. Lamprecht and his critics; it is accompanied by a translation of Lamprecht's address on the occasion of his assuming his rectoral functions at the University of Leipzig.

Methuen announces *The Republican Tradition in Europe*, by H. A. L. Fisher, who covers the field from the fall of the Roman Empire to the establishment of the Republic of Portugal.

G. P. Putnam's Sons have published *A Short History of Women's Rights, from the Days of Augustus to the Present Time, with Special Reference to the United States and England*, by Eugene A. Hecker; the book is announced as not argumentative.

The naval development and aspirations of modern Germany are reflected in a small volume published by Quelle and Meyer, Leipzig, entitled *Seehelden und Admirale*, by Vice-Admiral Kirchhoff, being Band 84 in the collection *Wissenschaft und Bildung*. The author aims to present both the careers of great maritime leaders of all ages and the progress of the art of maritime warfare. The most modern period is represented by Nelson, Farragut, and Tegetthoff.

Volume II. of the second series of the *Papers of the American Society of Church History* contains papers read at the meetings of December 1908 and 1909: the presidential addresses of Professor Henry E. Jacobs and Professor Francis A. Christie, and other papers, on the Church and Medieval Trades-Unions, by Mr. Edward W. Miller; on Luther and Economic Questions, by Mr. John A. Faulkner; on the Beginnings of the Lutheran Church on Manhattan Island, by Dr. John Nicum; on the Early Dutch Anabaptists, by Mr. Henry E. Doshier, etc.

At the ninth annual meeting of the American Jewish Historical Society, held in Philadelphia on February 12 and 13, important papers were read by Mr. Samuel Oppenheim on the early history of the Jews in New York, 1664-1734, and on the expulsion of the Jews from Bohemia, 1744-1745, and the action of the Jews of England thereon; by Mr.

Lee M. Friedman on Judah Monis; by Rev. Barnett A. Elzas on the first Reformed Jewish prayer-book in America; by Rev. J. Friedlander on the first Jewish periodical published in this country; and by Mr. Leon Hühner on the Jew in music in America.

The Librairie Beauchesne, Paris, published in 1910 fascicles 3, 4, and 5 of the *Dictionnaire Apologétique de la Foi Catholique*; the work is being carried on in a large way, and these additions contain such important articles as that by Paul Allard on "Esclavage" and that by Paul Fournier on "Fausses Décrétales".

A marked activity has been shown of late in the field of publication with respect to the Mussulman peoples and movements. A. Picard, Paris, announces an important addition under the title *Encyclopédie de l'Islam, Dictionnaire Géographique, Ethnographique et Biographique des Peuples Musulmans*; it is being prepared by a group of Orientalists of various nationalities under the direction of Professors M. Th. Houtsma of the University of Utrecht and R. Basset of the University of Algiers. No such work at present exists. There have been published already six fascicules comprising 384 pages and coming to the word *Arabie*; the rate of progress will be four fascicules annually, and the work will be complete in fifteen fascicules, making three volumes.

In the *Bulletin* of the New York Public Library for January a list of works relating to Arabia and the Arabs is given.

Ph. Lauer furnishes for the *Revue Historique* for January-February a useful general review of recent (1908-1910) publications on the sciences auxiliary to history.

In the issue for December 10 of *La Revue du Mois* (Paris) will be found under the title "Le Problème de la Géographie Politique" a brief condensation by Camille Vallaux of his forthcoming publication, *Géographie Sociale: le Sol et l'État* (Paris, O. Doin), a book of considerable interest from the point of view particularly of the relations between history and geography. The author finds a clue to the development and movements of state-building peoples in a differentiation of territories into those marked by comparative uniformity over wide areas, and those exhibiting great contrasts or numerous diversities in comparatively limited space; these latter prove the determining elements in the upbuilding of states, becoming the meeting-ground of different groups and the starting-point for the spread of these diverging groups over the adjacent wider areas of less diversity.

Henry Holt and Company announce *The Influences of Geographic Environment*, by Ellen Churchill Semple.

Noteworthy articles in periodicals: C. H. Hayes, *History in the College Course* (Educational Review, March); G. v. Below, *Kulturgeschichte und Kulturgeschichtliche Unterricht* (Historische Zeitschrift, CVI. 1); M. R. Vesnitch, *Deux Précurseurs Français du Pacifisme et de l'Arbitrage International* (Revue d'Histoire Diplomatique, XXV. 1).

ANCIENT HISTORY

The *Bibliothèque de l'École des Hautes-Études* has published as no. 179 a collection of *Lettres Néo-babyloniennes* edited by Fr. Martin, and containing 112 documents in the original and in translation. They are published after the facsimiles of the cuneiform texts published by the British Museum.

T. Fisher Unwin, London, announces a translation by Marian C. Harrison of Professor Angelo Mosso's recent work, under the title *The Dawn of Mediterranean Civilisation*; it deals with the stone, copper, and bronze ages with special reference to Italy and the spread of civilization from the valley of the Nile.

Paul Geuthner, Paris, has issued *Les Civilisations Préhelléniques dans le Bassin de la Mer Égée: Études de Protohistoire Orientale* (pp. 370, 1910). This work endeavors to summarize the results of recent excavations especially in Crete, and has developed from courses of lectures given in the École d'Anthropologie at Paris.

A preliminary report on the American excavations at Sardes in Asia Minor, by Professor Howard C. Butler, is printed in the *American Journal of Archaeology* for October–December, 1910.

In the series *Die Kultur der Gegenwart*, edited by Professor Paul Hinneberg and published by Teubner, Leipzig, there is announced *Staat und Gesellschaft der Griechen und Römer* by A. v. Wilamowitz-Moellendorf and B. Niese, the former dealing with Greece and the latter with Rome.

The Oxford University Press will issue soon a book by Professor Spenser Wilkinson on *Hannibal's March through the Alps*, pronouncing for the Col du Clapier.

The eighth revised and enlarged edition of Ludwig Friedländer's *Darstellungen aus der Sittengeschichte Roms* is completed with the issue of Bände III. and IV. (Leipzig, Hirzel, 1910).

The firm of D. Nutt will soon issue *Monumenta Historica Celtica*, a collection of references in classical authors brought together by Mr. W. Dinan.

A. Picard, Paris, has published the first part of the second volume of Joseph Déchelette's *Manuel d'Archéologie Préhistorique Celtique et Gallo-romaine*, the volume being occupied with the age of bronze.

Noteworthy articles in periodicals: G. Bloch, *La Plèbe Romaine* (*Revue Historique*, March–April).

EARLY CHURCH HISTORY

The *Revue de l'Histoire des Religions* for September–October contains the first section of a study by M. Goguel entitled "Juifs et Romains

dans l'Histoire de la Passion", in which the author investigates the evidence for the ordinary representation (as by Mommsen) of the part played in the drama respectively by Jews and by Romans. This should be considered in connection with the volume published in Paris in 1909 by Picard, *Une Province Procuratorienne au Début de l'Empire Romain: Le Procès de Jésus-Christ*, by Henri Regnault.

Professor Deissmann's *Licht von Osten*, published in 1908, is issued by Hodder and Stoughton, London, under the title *Light from the Ancient East; the New Testament illustrated by recently discovered Texts of the Graeco-Roman World*, the translation being by L. R. M. Stratton, a former colleague of the author. The special contribution of the author to New Testament interpretation has been described as being "his proof that the Greek is essentially the *lingua franca* of the Roman Empire, accessible to us now in the non-literary papyri and ostraca of Egypt, and to a rather less degree in the inscriptions of the Hellenistic period", an idea originally set forth in Professor Deissmann's earlier studies and more fully elaborated here on the basis of recently discovered material.

Hinrichs, Leipzig, have published *Entstehung und Entwicklung der Kirchenverfassung und des Kirchenrechts in den zwei ersten Jahrhunderten*, by Adolf Harnack (1910, pp. xi, 252). This is for the most part only a slightly changed reprint of Harnack's treatment of the subject in Hauck's *Theologische Realencyklopädie*, but there has been added an attack upon R. Sohm's diverging views.

Comm. Orazio Marucchi, in his *Epigrafia Cristiana: Trattato Elementare con una Silloge di Antiche Iscrizioni Cristiane principalmente di Roma* (Milan, Hoepli, 1910, pp. 453), endeavors to present the student with an adequate general treatise and adds the text of nearly five hundred inscriptions, classified and annotated.

Dr. A. J. Maclean's *The Ancient Church Orders* and the late Bishop Dowden's *The Church Year and Calendar* (Cambridge, University Press, 1910, pp. 181, 160) are excellent brief historical manuals opening the series entitled *The Cambridge Handbooks of Liturgical Study*.

A work of high importance by an eminent scholar long occupied with the subject is the archimandrite Chrysostomos Papadopoulos's *Ἱστορία τῆς Ἐκκλησίας Ἱεροσολύμων* (Alexandria, printing-office of the Greek patriarchate, 1910, pp. xxxii, 812), covering all periods and aspects of the theme.

Noteworthy articles in periodicals: C. Callewaert, *La Méthode dans la Recherche de la Base Juridique des Premières Persécutions*, I. (*Revue d'Histoire Ecclésiastique*, January); P. J. Healy, *Historic Christianity and the Social Question* (*Catholic University Bulletin*, January); *id.*, *Social and Economic Questions in the Early Church* (*ibid.*, February); *id.*, *The Social Value of Asceticism* (*ibid.*, March).

MEDIEVAL HISTORY

It has been announced that the first volume of the *Cambridge Medieval History*, planned by Professor Bury and edited by Professors H. M. Gwatkin and J. P. Whitney, will be ready about Easter, 1911. The whole work will consist of eight volumes composed upon the same general plan as the *Cambridge Modern History*, but with some improvements of detail. The volumes will be published in chronological order, about two volumes each year. The first volume, beginning with Constantine and covering the fourth and fifth centuries, contains twenty-one chapters. Among the writers we note the names of Professors Gwatkin, Pfister, Haverfield, Du Moulin and Vinogradoff, Principal Lindsay, Mr. E. W. Brooks, Miss Alice Gardner, and Dom E. C. Butler; in the list for the second volume, those of Professors Diehl, Altamira, Jullian, Whitney, Burr, and Seeliger, Dr. L. M. Hartmann and Dr. Montague R. James. Full bibliographies are promised, "and, where necessary, footnotes to the text are admitted". The volumes will bear the titles: The Christian Roman Empire and the Foundation of the Teutonic Kingdoms; The Rise of the Saracens and the Foundation of the Western Empire; Germany and the Western Empire; The Eastern Roman Empire; The Crusades; The Roman Theocracy; Decline of the Empire and the Papacy; Growth of the Western Kingdoms.

A quarterly review with the title *Revue Charlemagne* has been established by several professors of the University of Fribourg and will be devoted to the history and archaeology of western Europe in the early Middle Ages. It will be published by Fontemoing in Paris.

A. Picard, Paris, has added to their *Collection de Manuels d'Archéologie et d'Histoire de l'Art* a two-volume work by M. Camille Enlart, director of the Trocadéro Museum of Comparative Sculpture, on the architecture of the Middle Ages.

The *Weltgeschichte in Charakterbildern*, issued under the direction of F. Kampers, S. Merkle, and M. Spahn, has added a study of *Theoderich der Grosse* by Professor Georg Pfeilschifter. The book is profusely illustrated with special reference to the aspect of the fall of the Roman Empire that is indicated in the subtitle, *Die Germanen im Römischen Reich*.

The report of the work during 1910 of the Roman Institute of the Görres-Gesellschaft records the completion of vols. II. and III. of the *Vatikanische Quellen zur Geschichte der Päpstlichen Hof- und Finanzverwaltung*, edited by Dr. K. H. Schäfer and coming down through the pontificate of Clement VI. Dr. J. Schweizer has completed vol. II. of the *Kaiserliche Nuntiatur*, dealing with 1587-1590. Dr. Fr. X. Seppelt has made good progress with his edition of the sources for Celestine V., and the publications relating to the Council of Trent are proceeding rapidly.

Noteworthy articles in periodicals: P. Allard, *Les Origines du Servage* (Revue des Questions Historiques, January); Miss L. M. Smith, *Cluny and Gregory VII.* (English Historical Review, January); E. Hoffmann, *Die Entwicklung der Wirtschaftsprinzipien im Cisterzienserorden während des 12. u. 13. Jahrhunderts* (Historische Jahrschrift, XXXI.); K. Hampe, *Altes und Neues über die Stigmatisation des hl. Franz von Assisi* (Archiv für Kulturgeschichte, VIII. 3).

MODERN EUROPEAN HISTORY

Ed. Cornély, Paris, has just published for the *Revue d'Histoire Moderne et Contemporaine*, the first *Table Générale* of that journal, covering the years 1899-1909, t. I.-XII. It is divided into five parts: I. Avant Propos; II. Tables des Articles, par Nom d'Auteur; III. Tables des Articles, par Matières; IV. Table des Ouvrages Analysés; V. Tables des Notes et Nouvelles (pp. vii, 107).

The important work of Léon Lallemand on the *Histoire de la Charité* has now reached t. IV., *Les Temps Modernes du XVI^e au XIX^e Siècle* (Paris, Picard, pp. 624). Tome V. will deal with the nineteenth century.

The *Geschichte der Verehrung Marias* of Stephan Beissel, S.J., has advanced with volume II. through the sixteenth and seventeenth centuries (Freiburg i. B., Herder, 1910, pp. x, 518), and a third volume will cover the rest of the modern period. The work aims to be a contribution alike to religious history and to art and is profusely illustrated.

A recent contribution to the history of the Council of Trent is L. Carcereri's *Il Concilio di Trento, della Traslazione a Bologna alla Sospensione, Marzo-Settembre 1547* (Bologna, Zanichelle, pp. xxxiv, 591).

Cardinal Cristoforo Madruzzo, prince-bishop of Trent from 1539 to 1567, was one of the most conspicuous figures of the Council of Trent and of its period. Professor Andrea Galante in a quarto pamphlet entitled *La Corrispondenza del Card. Cristoforo Madruzzo nell'Archivio di Stato di Innsbruck* (Innsbruck, Wagner, 1911, pp. xii, 35) presents an account of the correspondence, a list of the letters, an index, and a reproduction of Titian's portrait of the bishop, now preserved at Trent.

E. de Bojani, in his *Innocent XI., sa Corresondance avec ses Nonces, 21 Septembre 1676-31 Décembre 1679* (Rome, Desclée, 1910, two volumes, pp. 712, 602), essays to supply an antidote to E. Michaud's *Louis XIV. et Innocent XI.* (Paris, 1882-1883) by full study of the pontiff's dealings with political and ecclesiastical affairs and the government of Rome. Other volumes will follow.

Hefte 1-15 of Band II. of Eduard Fuchs's *Illustrierte Sittengeschichte vom Mittelalter bis zur Gegenwart* have recently been issued (Munich, Alb. Langen). They are devoted mainly to the eighteenth century and bear the title, *Die Galante Zeit*. It is curious that from the press of J.

Hoffmann, Stuttgart, there comes almost simultaneously *Das Galante Europa: Geselligkeit der Grossen Welt, 1600-1789* (1911, pp. xix, 492).

A useful volume has been issued from the press of F. Alcan, Paris (1911, pp. xi, 570), edited by M. Pierre Albin; it is entitled *Les Grands Traités Politiques*, and brings together in a convenient form the chief diplomatic texts since 1815. The material is distributed by countries. Manifestly it is but a collection, but it seems to have been made with good judgment. There is a preface by M. Maurice Herbette.

Swan Sonnenschein and Company, London, announce *Modern Socialism in its Historic Development*, being a translation by M. I. Redmount from the Russian of Dr. M. Tugan-Baranowsky.

Stock, of Paris, has published vol. IV. of James Guillaume's *L'Internationale: Documents et Souvenirs, 1864-1878*. It is the concluding volume and deals with the years 1876-1878. The author apparently has had exceptional opportunities and has brought together a collection of unusual importance.

Professor Karl Grünberg of the University of Vienna has established a new review with the title *Archiv für die Geschichte des Sozialismus und der Arbeiterbewegung*, to be published by Hirschfeld, Leipzig, quarterly, at twelve marks. Professor Grünberg has obtained the aid of a notable group of specialists, including Georges Blondel, Henri Hauser, E. Levasseur, G. Renard, H. Sée, G. Weill, and aims to have all points of view represented. The review will publish documentary material and articles, and some important studies are announced for the immediate future.

Noteworthy articles in periodicals: A. C. McGiffert, *Martin Luther and his Work*, II., III., IV. (Century Magazine, January, February, March); K. Schellhass, *Zur Legation des Kardinals Morone, 1576, Moskau, Bayern* (Quellen und Forschungen aus Italienischen Archiven und Bibliotheken, XIII. 2).

GREAT BRITAIN AND IRELAND

M. Charles Bémont's bibliographical bulletin on publications concerning English history, in the *Revue Historique* for January-February, is general, and covers the period 1909-1910.

The New York Public Library's list of works relating to British genealogy and local history is concluded (part VII.) in the December *Bulletin*.

The Royal Historical Society intends to issue in its Camden Series two volumes of the Register of John of Gaunt, the second volume of Despatches from Paris, 1784-1789, the newly discovered manuscripts of John of Plano Carpini's History of the Mongols and of the Narrative of the French Conquest of the Canaries in 1404-1406, a volume of docu-

ments on the Secret Service under George III., one of Documents from the Archives of the Spanish Inquisition in the Canaries, the Novgorod Chronicle (translated from the Russian), a London chronicle of the fifteenth and sixteenth centuries, Essex Papers of 1675-1677, the Journal of the Lieutenant of the Tower of London, 1722-1746, and Camden Miscellany, vol. XII.

The Graduate Magazine Press, Lawrence, Kansas, issues (1911, pp. 87) *A Syllabus of English Institutional History*, by Clarence C. Crawford, Ph.D., assistant professor of history in the University of Kansas. The syllabus is arranged topically, with unusually full and definite reading lists and references, especially to the sources, and bids fair to be of much more than local utility.

The Oxford University Press announces as in preparation *Federations and Unions within the British Empire*, by Professor Hugh E. Egerton; and *Ireland under the Normans, 1169-1216*, by Goddard H. Orpen.

Rev. Dr. Charles J. Cox, after thoroughgoing researches in the original sources of information, has produced an attractive and substantial book on *The Sanctuaries and Sanctuary Seekers of Mediaeval England* (London, George Allen).

Portfolios IV. and V. of *Longmans' Historical Illustrations* relate to the fourteenth and fifteenth centuries, and admirably illustrate architecture, costume, ships, street scenes, and the like, by drawings from contemporary and authentic examples.

Longmans, London, have published *Visitation Articles and Injunctions of the Period of the Reformation*, in three volumes, edited by Walter Howard Frere, D.D., in the *Alcuin Club Collections*. Vol. I. is devoted to historical introduction, appendixes, and index.

Chapman and Hall, London, have published *Letters of the English Seamen, 1587-1808*, edited by E. Hallam Moorhouse. This is compiled largely from the publications of the Navy Records Society.

The edition of the *Works of Jonathan Swift* in publication by Bell, London, is now being completed by the issuing of his *Correspondence*, vol. I. having recently appeared under the editorship of F. Elrington Ball, with an introduction by J. H. Barnard, D.D., present Dean of St. Patrick's. There are numerous other editions of Swift's letters (notably that of Sir Walter Scott), but this one promises to be definitive, the needed annotation being for the first time adequately supplied. Mr. Ball's fitness for this difficult task had been proven in his *History of the County of Dublin*. The present volume comes to 1712 and is mainly of political interest.

There has appeared Band II. of Wilhelm Begemann's *Vorgeschichte und Anfänge der Freimaurerei in England*, dealing with the "Gründung

und Weiterentwicklung der Londoner Grossloge, die Ancient Masons und die Vereinigung der beiden Grosslogen" (Berlin, Mittler, 1910, pp. xii, 537). The book deals particularly with the period between the appearance of the Constitution-book of 1723 and the union of the Lodges in 1813.

John Lane announces *The Nelsons of Burnham Thorpe: a Record of a Norfolk Family compiled from the Unpublished Letters and Note-books, 1787-1843*, by M. Eyre Matcham. This is the family of Lord Nelson, the material being the journals and letters of his father and sister.

The publication of the *Dickson Manuscripts* (Royal Artillery Institution Printing House) has now reached ch. vi. of Series C, under the editorship of Major J. H. Leslie. The manuscripts include the diaries, letters, maps, and other papers of Major-General Sir Alexander Dickson, G.C.B., one of the chief lieutenants of Wellington in the Peninsular War, bequeathed by his son to the Royal Artillery. Series C covers the period 1809-1818, and ch. vi. comes to the battle of Vittoria. The material is of great extent and of great military interest. In this connection might also be noticed the announcement by Longmans of a second installment of *The Spanish Journal of Elizabeth Lady Holland, 1803-1805 and 1808-1809*, edited by the Earl of Iichester. This second part is of considerable interest for military events; particularly through Lady Holland's attack on Sir John Moore.

Smith, Elder, and Company, London, have published *John Bright: a Monograph*, by R. Barry O'Brien, with a preface by the Right Hon. Augustine Birrell. Mr. O'Brien is the biographer of Parnell and Lord Russell of Killowen, and the term "monograph" is intended to signify that the author, a Roman Catholic Nationalist, does not attempt an elaborate biography.

John Murray published in January, in two volumes, *The Life of Sir William Russell*, compiled by J. B. Collins from previously unused private documentary material.

Two additional studies of Cecil Rhodes have recently appeared: *The Life of the Right Hon. Cecil Rhodes, 1853-1902*, by the Hon. Sir Lewis Mitchell (two vols., London, Arnold), and *Cecil Rhodes, his Private Life*, by his private secretary Philip Jourdan (London, John Lane). Sir Lewis Mitchell was for a long time a leading South African banker and politician who became a member of the Executive Council of Cape Colony and is now one of the trustees of the Rhodes will. Mr. Jourdan was Rhodes's secretary during the last six years of the latter's life; one of the unexpected disclosures here made is that Rhodes was physically a very timid man.

Methuen, London, has published *Old Kew, Chiswick, and Kensington*, by Lloyd Sanders, and the volume might perhaps be compared with the excellent studies of outlying parts of Paris now in publication. Mr.

Sanders's book is in the main the result of fresh study of parish and similar records. Routledge and Sons, London, have issued recently *Relics and Memorials of London Town* by James S. Ogilvy, who had previously prepared a similar book on *London City*. His aim is particularly to bring together with helpful explanations colored plates of historic buildings.

The Guild of Graduates of the University of Wales has undertaken the publication of a number of texts, beginning with a fifteenth-century manuscript on Welsh laws and pleadings, edited by Timothy Lewis, the publication being aided by the university and the Welsh National Library.

James MacLehose and Sons, Glasgow, have published *The Norse Influence on Celtic Scotland*, by George Henderson, lecturer on Celtic in the University of Glasgow.

Messrs. MacLehose have also published *Annals of the Reigns of Malcolm and William, Kings of Scotland, 1153-1214*, by Sir Archibald Campbell Lawrie. This house has also published *Early Scottish Charters prior to A. D. 1153*, under the same editorship; *The Medieval Church in Scotland, its Constitution, Organization and Law*, being the Rhind Lectures, by the late Dr. John Dowden, bishop of Edinburgh; and Sir Herbert Maxwell's *The Making of Scotland*, lectures on the Scottish War of Independence.

A full and relatively impartial narrative based on trustworthy material, for the most part secondary, seems to be furnished in the Rev. E. A. D'Alton's *History of Ireland*, of which a third edition in six volumes is issued by the Gresham Publishing Company.

British government publications: *Calendar of Inquisitions post Mortem*, vol. VI., Edward II.; *Calendar of the Close Rolls*, Edward III., vol. XII., 1364-1368; *Calendar of the Patent Rolls*, Henry VI., vol. VI., 1452-1461; *Historical Manuscripts of the Marquess of Salisbury*, XII., last fifteen months of Elizabeth [Historical Manuscripts Commission]; *Papers of the Marquess of Ormonde*, VI. [*id.*].

Noteworthy articles in periodicals: G. Constant, *La Transformation du Culte Anglican sous Édouard VI.*, I. *Tendances Luthériennes* (Revue d'Histoire Ecclésiastique, January); R. G. Marsden, *Early Prize Jurisdiction and Prize Law in England*, III. (English Historical Review, January); H. D. Hazeltine, *Selden as Legal Historian* (Harvard Law Review, December, January); H. W. V. Temperley, *Chatham and his latest Biographer* (Contemporary Review, February); Lewis Melville, *William Cobbett and Queen Caroline: an unpublished Correspondence* (Nineteenth Century, February).

FRANCE

Two new periodicals have been recently added to the list of French publications devoted in whole or in part to historical studies. These

are a *Revue de Bourgogne*, published at Dijon, and a journal entitled *Athéna: Revue publiée par l'École des Hautes Études Sociales*. There has also been started a new review of ecclesiastical history under the title *Documents d'Histoire*, edited by Abbé Eugène Griselle; this is devoted to the seventeenth, eighteenth, and nineteenth centuries, will appear quarterly, and will have the object only of publishing new documents, in whole and without notes, under the divisions Histoire générale, Protestantisme, Jansénisme, Quiétisme, Prédication. M. Griselle has also assumed the editorship of a *Revue Fénelon* of which the first number was issued in June, 1910; this publication is in connection with the approaching bicentenary of the archbishop's death (1915) and with a new edition of Fénelon's works; it will be published for several years.

Considerable additions have been made in 1910 to the inventories of documents in the departmental archives, especially in the material posterior to 1800. It is not surprising that five of the new inventories deal with the material classified under *Cultes*.

The Bibliothèque Nationale, in addition to the author series of its *Catalogue Générale des Livres Imprimés* (of which volume 45 brings us almost through D), is preparing special series. Under this head comes t. I. of a *Catalogue des Actes Royales*, published in 1910 and edited by M. Albert Isnard. More than 5600 *actes* or groups of *actes* are classified, from Dagobert I. to the death of Henry IV.; the library is particularly rich in *actes* of the sixteenth century. The management has recently revised the collection of books of reference in the general reading-room, and a catalogue of the collection was also published in 1910 (pp. xx, 316).

Some important additions have recently been made to the publications of the Société d'Histoire Contemporaine. Volume 46 is the second volume of Count Adolphe de Circourt's *Souvenirs d'une Mission à Berlin en 1848*, edited by G. Bourgin, rich in information upon important events; these reminiscences are of high value for the attitude of the Prussian administration toward the revolutionary progress. Vol. 47 is t. III. of the *Correspondance du Duc d'Enghien, 1801-1804*, edited by Count Boulay de la Meurthe; the work includes much more than the correspondence indicated. Vol. 48 is t. IV. of the *Correspondance du Comte de La Forest, Ambassadeur de France en Espagne, 1808-1813*, edited by G. de Grandmaison; the volume covers July, 1810-March, 1811. Vol. 49, edited by MM. Paul Usteri and Eugène Ritter, is a new edition of Henri Meister's *Souvenirs de mon dernier Voyage à Paris* (now rare), a record of a visit in 1795 (Paris, Picard, 1910, pp. 256). Notes as to visits in 1801 and 1804 and some recollections are added. Henri Meister was an observer of unusual quality; he had been from 1773 the collaborator of Grimm in the *Correspondance Littéraire*. The same editors in 1903 published the *Lettres inédites de Mme. de Staël à Meister*.

In the *Mémoires* of the Catholic faculties of Lille, fasc. VI. is the first volume of an important and valuable *Histoire de la Propriété Ecclésiastique en France* (Paris, Champion, 1910, pp. 496), by Professor E. Lesne. This first volume relates to the Roman and Merovingian periods, and has been followed (as fasc. VII.) by a briefer and more special monograph by the same writer on *L'Origine des Menses dans le Temporel des Églises et des Monastères de France au IX^e Siècle* (1911, pp. 165).

Scribners have published *Henri II.: his Court and Times*, by H. Noel Williams, and *Louis XIV. and Mme. de Maintenon*, by Charlotte Lady Blennerhassett.

The Sturgis and Walton Company have added to their Court Series of French memoirs a translation of the *Secret Memoirs of the Regency* by Duclos.

M. André Lesort in his last *Rapport sur les Archives Départementales, Communales et Hospitalières du Département d'Ille-et-Vilaine*, describes the recent acquisition, through some anciently established houses of commerce at St. Malo, of 26 registers containing detailed and important information as to foreign and colonial trade in the eighteenth century, especially with the Indies, as also on the matter of late eighteenth century speculation in grain in France.

A series of studies on Voltaire by the late Ferdinand Brunetière were published in the *Revue des Deux Mondes* toward the end of 1910. The papers were prepared by Brunetière in 1886-1888 for an edition of the poet designed to appear in the Hachette collection of *Grands Écrivains Français*; having completed and sent to the printer three chapters of his study he was then called off by other work and never resumed the task. His literary executors have now published these chapters in part from the manuscript and in part from the uncorrected proofs made by Hachette in 1888. The studies bring the life of Voltaire down to 1754 and represent about half the work planned by the author.

The somewhat neglected field of Old Régime institutional history will soon be made more easy of cultivation through the publication of a projected *Collection de Textes sur l'Histoire des Institutions et des Services Publics de la France Moderne et Contemporaine* of which M. Camille Bloch, inspector-general of libraries and archives, has assumed the editorship (Paris, E. Cornély). In this series has already appeared M. Marcel Marion's *Les Impôts Directs sous l'Ancien Régime et principalement au XVIII^e Siècle*, and there are announced for early publication: *Le Gouvernement Révolutionnaire*, by M. Mautouchet; *Le Recrutement de l'Armée pendant la Révolution et l'Empire*, by P. Caron; *Le Crédit aux XVII^e et XVIII^e Siècles*, by G. Martin; *L'Administration Provinciale au XVIII^e Siècle*, by C. Bloch; *Les Impôts Indirects sous l'Ancien Régime principalement au XVIII^e Siècle*, by G. Besnier;

L'Administration Municipale sous l'Ancien Régime, principalement au XVIII^e Siècle, by F. Mourlot; and *Les Impôts Directs depuis 1789*, by E. Allix. It is the object of the series to group the essential documents in small compass and to provide historical annotation; there will be general historical introductions and bibliographies. Attention may also be called, in the same connection, to E. Tarle's *L'Industrie dans les Campagnes de France à la Fin de l'Ancien Régime* (Paris, Cornély, 1910, pp. 87).

The Société d'Histoire Moderne has begun the publication of a series of "instruments de travail", and has published in it a brief résumé entitled, *Les Ministères Français, 1789-1909* (Paris, E. Cornély, 1910, pp. 58). The lists are accompanied by introductions giving résumés of the departmental histories, and it is evident will be of considerable utility, providing as it does much fuller and more trustworthy information than has hitherto been accessible in the lists of the *Annuaire de la Société de l'Histoire de France* or in the work published in 1890 by L. Muel. The society purposes publishing shortly a similar *Liste des Intendants*.

The Commission de l'Histoire Économique de la Révolution announces that six new volumes are in its hands for publication and that six others will be ready in 1911. The new associated Commission de l'Histoire Économique des Pays séparés de la France has had its field extended to include the old colonies still possessed by France and is still at work on a preliminary investigation of its field. A project as to publication in regard to paper money is under consideration by the main commission. In connection with the work to be done on the colonies it is to be remarked that the commission has recommended to the government to transfer colonial material for the period 1789-1815 from the Archives of the Ministry of the Colonies to the National Archives (where most colonial documents anterior to 1789 are, or soon will be, deposited).

In 1908 the Conseil Supérieur of French ecclesiastics founded at the Institut Catholique de Paris a course on the history of the Revolution, in charge of Professor Gustave Gautherot. This presentation of the period from the point of view of the Church has now been in progress for three years, and for 1911 it is proposed to extend its scope by offering to subscribers the lectures in a printed form. Professor Gautherot has just published (St. Dizier, M. Thevonot) a *Histoire de la Révolution Française dans l'Ancien Évêché de Bâle*, in two volumes.

H. Fleischmann, Paris, has begun the publication of a monthly *Revue des Curiosités Révolutionnaires*; he proclaims as his object the bridging of the gap between the reviews devoted to special fields and neglected by the public, and those of too flimsy a nature. The new publication will aim "à intéresser le lecteur et à lui éviter un ennui prodigué par tant de revues d'histoire quasi-officielle" and will be addressed particularly "aux amateurs de trouvailles, d'autographes, d'anecdotes ignorées, à tous les curieux des dessous de l'histoire révolutionnaire, des coulisses de la crise ouverte en 1789 et fermée en 1815".

A curious Revolutionary episode is the subject of Joseph Durieux's *Les Vainqueurs de la Bastille* (Paris, H. Champion, 1910, pp. 302). In 1790 the Commune of Paris appointed a commission to draw up a statement of the names and conditions of participants in the great action. The list drawn up contains 954 names, most of them names of workmen resident in the Faubourg St. Antoine. On June 19, 1790, the National Assembly accorded to these "héros" "brevets honorables", reciting a right to a special dress at the public expense with distinctive marks and to the bearing of the title "Vainqueur de la Bastille". There was however considerable opposition (voiced particularly by Marat) to this authorizing of distinctions, and before the end of the year the municipality of Paris had forbidden the Society of the Vainqueurs to meet. The organization however was maintained, and when the Napoleonic Legion of Honor was established it became active during several years in demanding admittance—demands to which Napoleon turned a deaf ear. Nothing more is heard apparently from the Vainqueurs till the beginning of the reign of Louis Philippe, when pensions of 250 fr. (equal to that accorded to chevaliers of the Legion of Honor) were granted to ninety-nine Vainqueurs (presumably all the survivors in honorable standing). The present publication aims to establish the list of the original Vainqueurs with biographical notes, and the work seems carefully done.

The fourth and last volume of the *Procès-Verbaux des Comités d'Agriculture et de Commerce de la Constituante, de la Législative, et de la Convention*, edited with notes by MM. Fernand Gerbaux and Charles Schmidt, has appeared. There will be published later a full index of this important collection.

An English version has appeared of the memoirs of Mgr. de Salamon, papal internuncio resident at Paris 1790–1801, under the title *A Papal Envoy during the Reign of Terror*. These memoirs, edited by the Abbé Bridier, were first published in 1890, and are now translated by Francis Jackson; the English edition includes some additional material published in 1898, being the secret correspondence of the Abbé de Salamon and Cardinal Zelada (London, Sands, 1910, pp. xlvii, 247).

Grant Richards, Ltd., London, announce *The Last Episode of the French Revolution*, by Ernest Belford Bax. The book deals with the history of Gracchus Babeuf and the Conspiracy of the Equals.

Cassell and Company, London, announce *Napoleon in his Own Defence*, by Clement K. Shorter, being "A Reprint of certain Letters written by Napoleon from St. Helena to Lady Clavering and a Reply by Theodore Hook. With which are incorporated Notes and an Essay on Napoleon as a Man of Letters by the Author." John Murray announces *The Growth of Napoleon: a Study in Environment*, by Norwood Young.

An interesting recent contribution to the military history of Napoleon is H. Giehrl's *Der Feldherr Napoleon als Organisator: Betracht-*

ungen über seine Verkehr- und Nachrichtenmittel, seine Arbeits- und Befehlsweise (Berlin, Mittler, 1910, pp. 181).

John Lane, London, announces a translation by J. Lewis May of the recent publication of Albert Espitalier, under the title *Napoleon and King Murat, 1808-1815: a Biography compiled from hitherto unknown and unpublished Documents*.

E. Driault contributes to the *Revue Historique* a bibliographical review of publications 1909-1910 on contemporary French history.

The Librairie H. Champion, of Paris, has begun the publication of the *Correspondance de Chateaubriand*, edited by Professor L. Thomas, who has been occupied with preliminary labors for several years. As the publisher remarks it is somewhat surprising that this correspondence has lain unpublished so long. He requests the co-operation of all possessors of letters. The edition will comprise five volumes and will be limited and numbered; two volumes will appear yearly. In the *Quarterly Review* for January will be found an article by P. F. Willert entitled, "Chateaubriand on his own Life".

Plon-Nourrit, Paris, have published vol. II. of the *Correspondance* of the Duc d'Aumale and Cuvillier-Fleury, covering 1849-1859, edited by René Veltery-Radot (pp. xx, 547).

John Lane, London, has announced an English version by Bryan O'Donnell of a work by Frederic Loliée, under the title *Le Duc de Morny, the Brother of an Emperor and the Maker of an Empire*. The book is asserted to be based on family papers.

The papers of M. Émile Ollivier on "La Guerre de 1870" in the *Revue des Deux Mondes* for December and January are of unusual interest and have already occasioned renewed and violent discussion within and without France.

The firm of Honoré Champion has published in two volumes an excellent *Histoire des Corporations d'Arts et Métiers des Ville et Comté de Montbéliard et des Seigneuries en dépendant* (1910, pp. 510, 276), by MM. Léon Nardin and Julien Mauveaux, the first volume occupied with the general history of the guilds and that of each company in particular, the second with the texts of their rules, statutes, and ordinances.

Noteworthy articles in periodicals: G. Fagniez, *La Femme et la Société Française depuis la Première Moitié du XVII^e Siècle: Le Mariage* (*Revue des Deux Mondes*, January 1); P. Caron, *De l'Étude du Gouvernement Révolutionnaire* (*Revue de Synthèse Historique*, October); A. Lajusan, *Le Plébiscite de l'An III* (*La Révolution Française*, January 14); A. Aulard, *L'Université Impériale: Le Grand-Maître, L'Administration Centrale* (*ibid.*, LIX.); D. Pasquet, *Comment la France a perdu l'Égypte, d'après les Mémoires de Lord Cromer* (*Revue Historique*, January-February); Marquis de Ségur, *Albert Vandal* (*Revue des Deux Mondes*, November 15).

ITALY AND SPAIN

In her brief *Markgraf Hubert Pallavicini* (Leipzig, Quelle and Meyer, 1910), Dr. Zippora Schiffer presents the first biography of this prominent North Italian *signore* of the later thirteenth century. His relations with the Hohenstaufens are emphasized.

Professor Walter Goetz's *König Robert von Neapel (1309-1343), seine Persönlichkeit und sein Verhältnis zum Humanismus* (Tübingen, Mohr, 1910), is short but of deep interest as the title suggests. An appendix lists King Robert's 289 extant sermons and quotes one of them.

Scribners have published *The Romance of a Medici Warrior*, by Christopher Hare; the book recounts the exploits of Giovanni delle Bande Nere and of his son Cosimo I., grand duke of Tuscany. Attention should be drawn also to Colonel G. F. Young's *The Medici* (Murray, two vols.), as having reached a second edition.

Band XIII. of the Görres-Gesellschaft's *Quellen und Forschungen auf dem Gebiete der Geschichte* is *Reformation und Inquisition in Italien um die Mitte des XVI. Jahrhunderts*, by Gottfried Buschbell (Paderborn, F. Schöningh, 1910, pp. xxiii, 344). This is perhaps the first thorough investigation of the Italian inquisition; the author has worked with new material, a considerable section of which is printed in the 97 Beilagen.

Volume III. of the *Biblioteca di Storia Italiana Recentc, 1800-1870*, has appeared (Turin, Fratelli Bocca, 1910, pp. 367); it is almost wholly devoted to a publication by Baron A. Manno, entitled *L'Opinione Religiosa e Conservatrice in Italia, 1830-1850, ricercata nelle Corrispondenze e Confidenze di Monsignor Giovanni Corboli Bussi*. Corboli Bussi died in 1850 at the age of thirty-seven, but had already enjoyed the confidence of two popes, especially that of Pius IX.; the correspondence here published is deposited in a private collection in Cremona.

Félix Alcan, of Paris, has published in his *Bibliothèque d'Histoire Contemporaine* a volume by Maurice Pernot, *La Politique de Pie X., 1906-1910*; it is a collection of reports to the *Journal des Débats* from its Roman correspondent, who happens to be a man of singular knowledge and discernment.

In June, 1910, the Spanish government created at Rome a Spanish School of History and Archaeology.

Professor Don Rafael Altamira of Oviedo, now inspector-general of education at Madrid, has published the fourth volume of his standard *Historia de España y de la Civilización Española* (Barcelona, Gili), dealing with the eighteenth century and the early part of the nineteenth, to the War for Independence. The volume concludes with a bibliographical index of sources from the earliest period to 1800.

The *Boletín de la Real Academia de la Historia* for July–September, 1910, contains the report of the committee appointed to award the prize offered by the Baron de Santa Cruz for the best *Historia Política, Diplomática y Militar de Alfonso XI.*; the award was made to Don Antonio Ballesteros y Beretta. The prize (3000 pesetas) has again been offered for 1913, to the best historical monograph on the reign of Carlos II.

There has appeared t. I. of *Publicaciones del Congreso Histórico Internacional de la Guerra de la Independencia y su Época (1801–1815)* (Saragossa, E. Casanal, 1909, pp. 260). This congress was held at Saragossa in October, 1908, and the volume contains papers presented to it. Various other publications suggested by this anniversary and relating especially to the siege of Saragossa have appeared recently in Spain.

Noteworthy articles in periodicals: L. Romier, *Les Institutions Françaises en Piémont sous Henri II.* (*Revue Historique*, January–February); P. Ronzy, *Un Siècle d'Influence Française en Italie (1650–1750) à propos d'un Ouvrage récent* (*Revue de Synthèse Historique*, October).

GERMANY, AUSTRIA, AND SWITZERLAND

The *Zeitschrift der Savigny-Stiftung für Rechtsgeschichte* has announced the adding of a new department under the name “kanonistische” devoted to the general history of ecclesiastical law and placed under the editorship of Professor Ulrich Stutz of Bonn and Professor A. Werminghoff of Königsberg, the former to deal with texts, the latter with the literature.

The Prussian Institute in Rome will publish this year a volume of the *Repertorium Germanicum* for the reign of the Avignon pope Clement VII., edited by Mr. Emil Goeller. Besides vol. I. of Professor A. O. Meyer's *England und die Katholische Kirche unter Elisabeth und den Stuarts* (Rome, Loescher, 1910, pp. xxvii, 489), which ranks as vol. VI. in the *Bibliothek*, we should count as a product of the Institute Dr. Philipp Hildebrandt's *Preussen und die Römische Kirche*, of which the first volume, 1625–1740, has lately been brought out in Berlin (Bath, 1910, pp. xiv, 442). Two additional volumes are in preparation, the first dealing with the *Kirchenpolitik* of Frederic the Great, the other with that of Frederic William II. and III.

The Fulda Geschichtsverein has published a thorough study of *Das Zunftwesen der Stadt Fulda von seinen Anfängen bis zur Mitte des 17. Jahrhunderts*, by Dr. Josef Hohmann (Fuldaer Aktiendruckerei, 1910, pp. iv, 130).

The controversy as to the editing of the *Jahrbücher der Deutschen Könige* begun by the strictures of B. Schmeidler on the recent addition to the series by H. Simonsfeld (see our notes of last October, p. 199) is continued sharply by Schmeidler and Simonsfeld in the latest issue

of the *Historische Vierteljahrschrift*. The latter contends that he had been faithful to the principles of the series as laid down by the Historical Commission on the basis of the declaration by Ranke reiterated by Sybel, and the former replies that the expressions of Ranke and Sybel do not warrant the methods censured. The contention of Schmeidler that the providing of the material in this form cannot be regarded as absolving the investigator from direct consultation of the originals seems to be both pertinent and unanswerable.

The Houghton Mifflin Company are about to publish *The Life and Letters of Martin Luther*, by Dr. Preserved Smith.

Heft LXXXVII. of the *Historische Studien* of E. Ebering is *Die Hofordnung Kurfürst Joachims II. von Brandenburg, neu hrsgb. und durch Untersuchungen über Hofhalt und Verwaltung unter Joachim II. erläutert* von Martin Hass. This *Hofordnung* has already been published twice, but very unsatisfactorily; as now edited it adds very materially to our knowledge of the Brandenburg central administration of the period.

The Caxton Club of Chicago has issued for its members, in the sumptuous form usual with its publications, *The Frankfort Book Fair*, being the *Francofordiense Emporium sive Francofordienses Nundinae* of Henri Estienne, a rare book printed in 1574, and here presented with the original Latin text and English translation on opposite pages, with an elaborate introduction and notes by Professor James Westfall Thompson of the University of Chicago (pp. xviii, 204). In view of the special value of the book to public libraries, the council of the Caxton Club has, by an exceptional vote, empowered its secretary to dispose of copies to such libraries or institutions as may make application, on the same terms as to its members.

Dr. J. Schmidlin has completed his presentation of *Die Kirchlichen Zustände in Deutschland vor dem Dreissigjährigen Kriege*, on the basis of the episcopal reports to the papacy, with the publication of part III. (Freiburg i. B., Herder, 1910).

The suspended publication of the *Briefe und Akten zur Geschichte des Dreissigjährigen Krieges* has been recently resumed with the issue of Bde. VIII. and XI., the former, edited by Karl Mayr, dealing with the last ten months of 1610 (and completing the publication of the material collected by Felix Stieve), and with 1611-1613, the latter, edited by A. Chroust, dealing with the Regensburger Reichstag of 1613. With this volume the latter editor ends his connection with the undertaking (Munich, Rieger, pp. vii, 800, xxxiv; xxv, 1108).

Dr. Viktor Loewe of Breslau publishes in the *Mittheilungen des Vereins für die Geschichte der Deutschen in Böhmen*, XLIX. 1, pp. 29-64, a fifth supplement to his bibliography of Wallenstein literature. The last supplement was issued in 1900. In the following issue of this

journal Dr. Karl Siegel has a new study on Wallenstein, "Wallenstein auf der Hohen Schul zu Altdorf".

Band II. of August Hartmann's *Historische Volkslieder und Zeitgedichte vom 16. bis zur 19. Jahrhundert*, of which Band I. appeared in 1907, covers the period from the middle of the seventeenth to the middle of the eighteenth century (Munich, C. H. Beck, 1910, pp. iv, 355). The volume contains 181 numbers, given with the melodies, the latter being edited by Hyacinth Abele.

There may be included in the product of the recent centenary celebration in Berlin a book by Professor von Scharfenot, *Die Königlich Preussische Kriegsakademie, in dienstlichem Auftrage aus amtlichen Quellen dargestellt* (Berlin, Mittler, 1910, pp. vi, 397). The Kriegsakademie was, like the University of Berlin, a creation of the period of regeneration, being founded by Scharnhorst in 1810. It was planned to provide for a three years' course for officers; the original entry number of 50 has now risen to 160 and the institution has developed from a purely professional one into a general scientific Hochschule.

Heft 20 of Brandenburg, Seeliger, and Wilcken's *Leipziger Historische Abhandlungen* (Leipzig, Quelle and Meyer) is *Bunsen und die Deutsche Einheitsbewegung*, by Walther Ulbricht. The study is based on the family archives, and the author aims to show the injustice of the presentation of Bunsen in Treitschke's *Geschichte des Neunzehnten Jahrhunderts*. The period covered is 1813-1860.

Professor W. Busch has prepared a fourth edition of W. Maurenbrecher's *Gründung des Deutschen Reiches, 1859-1871*, aiming to incorporate the results of investigation since the issue of the third edition, also supervised by Professor Busch (Leipzig, C. E. Pfeffer, pp. ix, 272).

In the *Archiv für Kulturgeschichte*, VIII. 3, Professor Dr. G. v. Below and Dr. Marie Schulz begin the publication of "Briefe von K. v. Nitzsch an W. Maurenbrecher, 1861-1880", the first installment coming to March, 1876. The correspondence is of much interest with respect to the development of historical study in Germany and with regard to politics. Nitzsch, professor first at Königsberg and later in Berlin, was at one time associated with Maurenbrecher in a plan for the publication of an extensive history of Germany in monographs, a plan which was the forerunner of the *Bibliothek Deutscher Geschichte* of Zwiedineck-Südenhorst. Politically Nitzsch and Maurenbrecher were associated with such men as Treitschke and Duncker in strong support of the Bismarck policy, though Nitzsch was not so much an admirer of Bismarck as an opponent of the Fortschrittspartei. The letters of Maurenbrecher to Nitzsch have not been preserved.

The important studies by M. Georges Goyau on "Bismarck et l'Épiscopat" in the *Revue des Deux Mondes*, designed to cover the period 1873-1878, have now come to 1874.

The twenty-ninth annual meeting of the Baden Historical Commission was held October 21-22. It is announced that the commission will publish in 1911 Band III. of the *Regesten der Bischöfe von Konstanz*; the first part of Band II. of *Regesten der Pfalzgrafen am Rhein*, edited by Dr. Graf v. Oberndorff and covering 1410-1412; the last section of the *Historische Grundkarten des Grossherzogthums Baden* (Pforzheim, edited by Oberregierungsrat Dr. Lange); the fourth and fifth Hefte of Band III. of the *Oberbadisches Geschlechterbuch*, edited by Freiherr von Stotzingen; Heft 1 of Dr. Cahn's *Münz- und Geldgeschichte der im Grossherzogtum Baden vereinigten Gebiete*; Dr. Geier's *Register zum Ueberlinger Stadtrecht*; and a *Neujahrsblatt* containing a study by Joseph Sauer on "Die Anfänge des Christentums und der Kirche in Baden".

The Commission for the Modern History of Austria held its annual meeting October 21, 1910, and announced as to be issued in 1911 a volume of *Oesterreichisch-Siebenbürgische Staatsverträge*, edited by R. Gooss, Band I. of the *Konventionen Oesterreichs und der Vereinigten Niederlande*, edited by H. v. Srbik, and Band I. of the *Korrespondenz Ferdinands I.*, edited by W. Bauer.

A critical article of unusual interest is published by Dr. Ludwig Spiegel in Bd. IV., Heft 1, of the *Zeitschrift für Politik*, under the title "Zur Geschichte der Politischen Literatur Oesterreichs". The author, proceeding from the assertion "dass die politische Literatur Oesterreichs in den vierziger und fünfziger Jahren des 19. Jahrhunderts ihren Hohepunkt erreicht hat" devotes his study to "Die Broschurenschmiede von 1847 und ihre Gegner" and to "Die Genesis-Literatur".

The city of Geneva has begun the publication of a new series of documents from its archives with the title *La Municipalité de Genève pendant la Domination Française: Extraits de ses Registres et de sa Correspondance, 1798-1815*; t. I. was published in 1910 under the editorship of Édouard Chapuisat (Geneva, Kündig; Paris, Champion, pp. clxiv, 355). The editor is known in this field by his *La Commerce et l'Industrie à Genève pendant la Domination Française*.

Noteworthy articles in periodicals: F. Kern, *Die Reichsgewalt der Deutschen Könige nach dem Interregnum: Zeitgenössische Theorien* (*Historische Zeitschrift*, CVI. 1); D. Brader, *Die Entwicklung des Geschichtsunterrichts an den Jesuitenschulen Deutschlands und Oesterreichs (1540-1774)* (*Historisches Jahrbuch*, XXXI.); J. Blociszewski, *L'Annexion de la Bosnie et de l'Herzégovine: Étude Historique et Juridique* (*Revue Générale de Droit International Public*, September-October).

NETHERLANDS AND BELGIUM

The Dutch Historical Commission has published the third volume of the *Acta der Particuliere Synoden van Zuid-Holland* (1646-1656, pp.

585), edited by Dr. W. P. C. Knuttel, and the fifth of Dr. H. T. Colenbrander's *Gedenkstukken der Algemeene Geschiedenis van Nederland van 1795 tot 1840* (The Hague, Nijhoff, 1910, pp. lxi, 841), containing some 611 documents, from a wide variety of sources, for the period of Louis Bonaparte.

The Belgian Commission Royale d'Histoire has resolved upon the preparation and ultimate publication of a formidable series of catalogues of *actes*, embracing those of the kings and dukes of Lotharingia, of the dukes of Brabant, counts of Flanders, Hainaut, and Namur, counts and dukes of Luxemburg, prince-bishops of Liège, bishops of Cambrai, Tournai, and Théroutanne, and princes of the house of Burgundy from Philip the Good to Charles V.

Noteworthy articles in periodicals: G. des Marez, *L'Apprentissage à Ypres à la Fin du XIII^e Siècle* (Revue du Nord, February).

NORTHERN AND EASTERN EUROPE

Drs. A. Krarup and J. Lindbaek have brought out the fourth volume of *Acta Pontificum Danica* (Copenhagen, G. E. C. Gad, 1910), presenting a considerable mass of documents, chiefly from the Vatican archives, for the Danish dioceses in the pontificates of Sixtus IV. and Innocent VIII., 1471-1492.

A. Lahure, Paris, has published (1911) the ninth and tenth volumes of the *Lettres et Papiers du Chancelier Comte de Nesselrode*, the material covering 1847-1853.

Father Michel Tamarati's *L'Église Géorgienne des Origines jusqu'à nos Jours* (Rome, Soc. Tip.-ed. Romana, 1910, pp. xv, 710), the first adequate work on the subject, is illustrated with maps, portraits, and many documents hitherto unpublished.

A. Picard, Paris, announces in his *Collection de Manuels d'Archéologie et d'Histoire de l'Art*, in the section on Mussulman art, a volume on Mussulman architecture by H. Saladin and one by Gaston Migeon on *Les Arts Plastiques et Industriels*. To the same collection Professor Ch. Diehl of the University of Paris contributes a *Manuel d'Art Byzantin* (pp. xi, 837; 420 figures).

An important contribution to the history of the Eastern Question has been published by Plon, Paris, being *Le Bosphore et les Dardanelles: Étude Historique sur la Question des Détroits, d'après la Correspondance Diplomatique déposé aux Archives Centrales de Saint-Petersbourg et à celles de l'Empire*, by Serge Goriainov (1910, pp. xxiii, 392). It is a treatment prepared wholly from the Russian material and apparently contains considerable additions to our knowledge of the crises of 1840-1841 and 1870-1871.

The *Archiv für Slavische Philologie*, XXXII. 1, 2, pp. 89-227, contains an historical contribution of much interest by Stojan Novakovic,

entitled "La Serbie Régénérée et ses Historiens". It is apropos of the posthumous publication in 1910 of B. de Kallay's *Geschichte des Serbischen Aufstandes, 1807-1810*.

Bloud, Paris, has published *Les Commencements de l'Indépendance Bulgare et le Prince Alexandre: Souvenirs d'un Français de Sofia*, by E. Queille, with a preface by E. Lamy of the Academy. This is composed mainly of the diary of M. Queille during his residence in Sofia, 1883-1884, which had already been published in the *Correspondant*; it is prefaced by a sketch of Bulgarian history from 1878. M. Queille was in intimate association with King Ferdinand and high officials of the state, and was a keen observer; there is a good deal of interest on the matter of Russian intrigue.

Noteworthy articles in periodicals: L. Bril, *Les Premiers Temps du Christianisme en Suède*, I. (Revue d'Histoire Ecclésiastique, January); Pierre Rain, *Un Tsar Idéologue: La Formation de l'Esprit d'Alexandre I., de Laharpe à la Mort de Paul I.* (Revue d'Histoire Diplomatique, XXV. 1); M. A. Andreades, *L'Administration Financière de la Grèce sous la Domination Turque* (Revue des Études Grecques, March-June, 1910).

THE FAR EAST AND INDIA

Messrs. Methuen of London have published *Vasco da Gama and his Successors, 1460-1580*, by K. G. Jayne.

The series *The Sacred Books of the East* (Clarendon Press), containing 49 volumes, has been completed by *A General Index to the Names and Subject Matter of the Sacred Books of the East*, compiled by Professor M. Winternitz, who has been engaged in the task since 1894. He has aimed to produce such an analytical index as would be "a scientific classification of religious phenomena".

Ullstein and Company, Berlin, publish a *Geschichte des Orients* by R. Stube, C. Bezold, C. Brockelmann, A. Conrady, and O. Nachod, as part of the *Weltgeschichte* edited by J. v. Pflugk-Harttung (1910, pp. 13, 652).

Longmans, Green, and Company announce *The International Relations of the Chinese Empire: the Period of Conflict, 1834-1860*, by Hosea Ballou Morse, Chinese commissioner of customs, with illustrations, maps, and diagrams. Mr. Morse is author of *Trade and Administration of the Chinese Empire*, published in 1908.

There has been published in London (Luzac and Company), and Leyden (Brill), as vol. XII. of the E. J. W. Gibb Memorial Series, a volume by E. Blochet entitled *Introduction à l'Histoire des Mongols de Fadl Allah Rashid ed-Din* (1910, pp. 398). This important work has hitherto been known in the West only in fragments and M. Blochet has now entered upon a complete edition. He shows in the present introductory volume that the whole Persian literature as to the Mongols rests

on the work of Rashid ed-Din, and discusses the conditions of the available manuscripts.

The *Archiv für Religionswissenschaft*, XIII. 4, contains an extended bibliographical review by H. Oldenberg, under the title "Der Indische Buddhismus, 1907-1910".

Messrs. MacLehose will publish shortly in their series of seventeenth-century books of travel a new edition of *An Historical Relation of the Island of Ceylon by Robert Knox, a Captive there for Twenty Years*. This edition will contain the recently discovered autobiography of Knox's later life.

AMERICA

GENERAL ITEMS

The Carnegie Institution of Washington has just published Professor Carl R. Fish's *Guide to the Materials for American History in Roman and Other Italian Archives* (pp. 289), listing *spolia opima*, chiefly from the archives of the Vatican and the Propaganda, and followed immediately by Professor William H. Allison's *Inventory of Unpublished Materials for American Religious History, chiefly in Protestant Church Archives* (pp. 254), listing the contents of several scores of repositories. Galley-proof of Mr. David W. Parker's *Calendar of Territorial Papers in Government Archives at Washington* has mostly been read. Dr. Paullin has completed his researches in London for the *Guide to Materials for the History of the United States since 1783 in London Archives* prepared by him and by Professor Paxson. The British government kindly consented that the researches for this book in the Foreign Office, Colonial Office, and Home Office papers, and some others, should, with some minor reservations, be extended beyond the usual date of 1837 to the year 1860.

A lectureship on the history and institutions of the United States has been established at the University of Oxford, with the expectation that American scholars will be selected to deliver the lectures, and that they will deal with the political, institutional, economic, or social history of the country. The first lectures are expected to be given in the summer of 1911.

A revised edition of Professor Channing and Hart's very useful *Guide to the Study of American History* (Boston, 1896) is being prepared by Professors Channing, Hart, and Turner, and will be issued in a few months.

The Superintendent of Documents has published as *Price List 50* a considerable list, of 116 small pages, of the United States public documents which he has for sale relating to political and military history, biography, diplomatic relations, and the like. This price list can be had gratis on application.

The School of American Archaeology, sustained by the Archaeological Institute of America, and having its headquarters in the Old Palace at Santa Fé, resumed early in 1911 its excavations at Quirigua in Guatemala, continuing its "first campaign" of 1910 for the study of the monuments of southern Maya culture. In co-operation with the Bureau of American Ethnology, and with the aid of Dr. A. F. Bandelier, it will continue its ethnological survey of the Rio Grande valley. In August it will maintain a summer school at El Rito de los Frijoles, New Mexico.

The Association of History Teachers of the Middle States and Maryland held its annual meeting in Washington on March 10 and 11, the chief historical paper being by Professor James T. Shotwell of Columbia University, on the Social Point of View in the Teaching of History. The New England Association of History Teachers is to meet at Dartmouth College on May 11, 12, and 13.

It is announced that the Houghton Mifflin Company will publish in the spring *The Origin and Growth of the American Constitution*, by Hannis Taylor, similar in character to the author's work on the English constitution.

Professors Carl R. Fish and Frederic L. Paxson have undertaken to publish, through the medium of the Wisconsin Academy of Arts and Sciences, a complete series of maps illustrating congressional elections. These maps will be published from year to year until completed, when they will be brought together and issued as a single publication.

The Albert Shaw Lectures in American diplomatic history, annually given at the Johns Hopkins University, will this spring be given by Dr. Charles O. Paullin, his subject being that of the diplomatic services and activities of American naval commanders and other officers.

Senate Document No. 831 of the third session of the Sixty-First Congress is a compilation of reciprocity treaties between the United States and foreign powers.

G. P. Putnam's Sons have issued *The Commercial Power of Congress, considered in the Light of its Origin*, by W. D. Brown. The author treats of "the origin, development, and contemporary interpretation of the commerce clause of the Constitution from the New Jersey representations of 1778 to the embargo laws of Jefferson's administration".

The lectures of President Benjamin Ide Wheeler as Roosevelt professor in the University of Berlin have been issued in Strassburg by Trübner with the title *Unterricht und Demokratie in Amerika*.

The J. B. Lippincott Company announces *A Short History of the United States Navy*, by Captain George R. Clark, U. S. N., and other naval officers. The aim of the writers is to present a straightforward account of naval affairs from a professional point of view.

Dr. David Kinley's work *The Independent Treasury of the United States*, which was published in 1893, has been revised and brought down to date by the author and is now issued by the National Monetary Commission under the title *The Independent Treasury of the United States and its Relations to the Banks of the Country* (Washington, Government Printing Office, 1910, 61 Cong., 2 sess., *Sen. Doc. No. 587*, pp. 370).

The National Monetary Commission has issued *State Banks and Trust Companies since the Passage of the National-Bank Act*, by Professor George E. Barnett of Johns Hopkins University (Washington, Government Printing Office, 1911, pp. 366). Part I. of the book treats analytically and historically of state-bank and trust-company legislation. In part II. the author examines in particular the causes of the growth of state banks and trust companies. There are numerous statistical tables throughout the book. A study of "The Insurance of Bank Deposits in the West", two articles written by Thornton Cooke for the *Quarterly Journal of Economics* (November, 1909, and February, 1910) constitutes an appendix of 90 pages.

The American Book Company sends us *Makers and Defenders of America*, by Misses Anna E. Foote and Avery W. Skinner, intended to instruct school-children in the history of the period since 1763 by reading-matter chiefly biographical. It is moderately interesting but without distinction, and abounds in errors.

Part I. of Bulletin 30 of the Bureau of American Ethnology, first volume of its *Hand-Book of American Indians North of Mexico*, edited by Frederick W. Hodge, was published in 1907 and comprises the articles for the letters A to M in what is really an encyclopaedia of matters relating to the American Indians. Part II. (pages 1221) has now been issued and includes besides the articles from N to Z a "synonymy" of names extending to more than 150 pages and an extensive bibliography. The book, as now completed, is doubtless the most comprehensive and authoritative book on American Indians yet published, its articles being written by the best experts and its editing remarkably careful, competent, and scholarly.

Bulletin 45 of the Bureau of American Ethnology is *Chippewa Music* (pp. xix, 216), by Frances Densmore. Miss Densmore has made a careful study of the music of the Chippewa Indians on several of the reservations in Minnesota and besides presenting a scientific study of the characteristics of the music of the Chippewas has recorded by means of a phonograph two hundred of their songs, which are given in this volume together with explanatory narratives and analyses. Bulletin 37 of the Bureau's series is *Antiquities of Central and Southeastern Missouri* (pp. vii, 116), by Gerard Fowke. The work recorded in this volume was done under the auspices of the St. Louis Society of the Archaeological Institute of America.

Mr. Alfred Söderström of Minnesota has brought together a body of material for a history of the Swedish press in America, which he has published under the title *Blixtar på Tidningshorisonten*. Mr. Söderström has listed Swedish-American newspapers and other periodical publications to the number of 1158.

Mr. Samuel Oppenheim has published a monograph on *The Jews and Masonry in the United States before 1810*.

The *Journal of American History*, vol. V., no. 1, contains an account by H. M. Baker of the siege of Louisburg in 1745; a sketch of William Cocke, one of the first senators from Tennessee, by William Goodrich; and a short account of prison ships in the American Revolution, by C. E. West. From the *Journals* of the Princeton Historical Association is taken the account by an eye-witness of the battle of Princeton, edited by V. L. Collins. The printing of the orderly books of Ensign Samuel Talmadge continues.

In the October number of the *Magazine of History* is an outline history of "The American Thanksgiving", by Mary C. Sweet, the second paper on Pennsylvania county names, by George R. Prowell, and the concluding paper of Malcolm G. Sausser entitled "An American Loyalist: Moody of New Jersey". In the November number appears an article on the practical work of the Daughters of the Revolution in North Carolina, by Mary Hilliard Hinton.

ITEMS ARRANGED IN CHRONOLOGICAL ORDER

It is expected that the third volume of Rev. Thomas J. Campbell's *Pioneer Priests of North America* will shortly come from the press.

The Beginnings of the American Revolution, by Ellen Chase (New York, the Baker and Taylor Company), traces colonial protest through its various forms and degrees to Gage's proclamation of June 12, 1775. The work, which is three volumes in extent and illustrated, draws largely on documentary sources, but concerns itself chiefly with the vicinity of Boston.

Mrs. Danske Dandridge of Shepherdstown, West Virginia, has prepared a general account of the *American Prisoners of the Revolution* (1911, 500 pp.), published and sold by the author.

New volumes in Small, Maynard, and Company's series *The Beacon Biographies* are *Benjamin Franklin*, by Lindsay Swift, and *George Washington*, by Worthington Chauncey Ford.

The *Records of the American Catholic Historical Society* for December prints under the caption "Propaganda Documents; Appointment of the First Bishop of Baltimore" translations of the "Documents relative to the Adjustment of the Roman Catholic Organization in the United States to the Conditions of National Independence, 1783-1789",

which appeared in the issue of this journal for July, 1910. Rev. E. I. Devitt, S. J., furnishes an introduction to the translations.

Dr. James A. Robertson has edited a series of documents, hitherto unpublished, which portray the social, economic, and political conditions in the territory represented in the Louisiana purchase, to which he has given the title *Louisiana under the Rule of Spain, France, and the United States, 1785-1807*. Volume I. has already appeared (Cleveland, Arthur H. Clark Company).

Professor Farrand's *Records of the Federal Convention* has just been published by the Yale University Press; all copies, both of the *édition de luxe* and of the regular first edition, were subscribed for before publication, but there will be other issues.

George W. Jacobs and Company have brought out *Historic Dress in America, 1800-1870*, by Elizabeth McClellan, whose previous volume dealt with the period 1607-1800.

A *Life of Andrew Jackson*, by Professor John S. Bassett, is expected to be published in May.

The Life of Hiram Paulding, Rear-Admiral, U. S. N., by Rebecca Paulding Meade (New York, Baker and Taylor Company, pp. xi, 321), is essentially a collection of episodes in Paulding's life. Two chapters, relating to a visit to Simon Bolívar, are taken from Paulding's *Bolívar and his Camp*. One chapter is concerned with the capture of William Walker, the filibuster. Considerable use is made of Paulding's journal, and several letters to and from him are printed in full.

A question which has been considerably debated of late is discussed, with additional facts, in the pamphlet *Was Secession Taught at West Point?* (pp. 40), a paper by Lieutenant-Colonel James W. Latta, published by the Pennsylvania Commandery of the Military Order of the Loyal Legion.

General W. T. Sherman as a College President, by David F. Boyd, late president of Louisiana State University, appears as a university bulletin of that institution, being reprinted from the April (1910) issue of *The American College*.

The American Philosophical Society have published separately *The Great Japanese Embassy of 1860*, a paper read before the society in April, 1910, by Patterson Du Bois.

The Story of a Cannoneer under Stonewall Jackson, by E. A. Moore, describes the part taken by the Rockbridge artillery in the Army of Northern Virginia. An introduction to the book is furnished by Robert E. Lee, jr., and H. St. George Tucker (Lynchburg, J. P. Bell Company).

Gettysburg: the Pivotal Battle of the Civil War, by R. K. Bucham, is announced by A. C. McClurg and Company.

Major-General Grenville M. Dodge has brought out through the Monarch Printing Company, Council Bluffs, Iowa, *The Battle of Atlanta and other Campaigns, Addresses, etc.*

General Basil W. Duke has written his *Reminiscences*, which Doubleday, Page, and Company will publish.

The Life of J. L. M. Curry, member of Congress from Alabama before the Civil War, member of the Confederate Congress, and for many years agent of the Peabody Fund, has been brought out by the Macmillan Company. The authors are President E. A. Alderman and A. C. Gordon.

The New York State Library has issued as a bulletin ("Legislation 40") of the Education Department *American Ballot Laws, 1888-1910* (pp. 220), by Arthur C. Luddington. The monograph consists of a chronological survey, classification, and digest of the ballot laws, including also a digest of the constitutional and statutory provisions in regard to the use of voting machines.

Mr. Charles Morris has written a volume which he entitles *The Marvellous Career of Theodore Roosevelt*, etc. (Philadelphia, Winston). Another biography of the former president, which will shortly be issued by A. C. McClurg and Company, is that of Dr. Max Kullnick. The book will appear in a translation made by Professor Frederick von Rietdorf and will bear the title *From Rough Rider to President*.

LOCAL ITEMS, ARRANGED IN GEOGRAPHICAL ORDER

In the *New England Historical and Genealogical Register* for January the bibliography of lists of New England soldiers, by Mary E. Baker, is continued, as is also A. M. Dyer's contribution on "First Ownership of Ohio Lands".

At a meeting of the Maine Historical Society on December 14, Mr. George S. Delano delivered an address on "The Humanity of Historical Societies". At a meeting on February 16, a paper by Rev. Henry O. Thayer entitled "Sir William Phips and his Relations with his native Town of Woolwich" was read. The society has issued as volume XVI. of its documentary series a new volume of the *Baxter Manuscripts*. The state has published *York Deeds*, book 18. 1735-1737 (Bethel, pp. 654. 123).

The *Report* of the state historian of Maine for the years 1909 and 1910 reviews the legislation in behalf of the office of state historian and describes the work done during the past two years in assembling, arranging, and publishing the historical materials in his custody.

Much material on the Aroostook War and the northeast boundary question will be found in the first volume of the *Collections of the Piscataquis County Historical Society* (Dover, Maine, 1910, pp. 522).

A History of the Town of Andover, New Hampshire, 1751-1906, by J. R. Eastman, has been brought out in Andover by the committee on town history.

The October serial of the *Proceedings* of the Massachusetts Historical Society contains an account of Goldwin Smith's visit to the United States in 1864, by Mr. Worthington C. Ford, a suggestive paper on the campaign of 1777, by Mr. Charles Francis Adams, and the journal of Rev. Joseph Emerson, jr., a naval chaplain in the expedition against Louisburg in 1745. To the *Proceedings* for November Mr. Adams contributes a paper on "Contemporary Opinion on the Howes", and Mr. Ford one on "Parliament and the Howes". These articles are the outgrowth of an examination of three volumes of pamphlets in possession of the society, once a part of the library of Israel Mauduit and containing liberal annotations by Mauduit and some by Joseph Galloway. An account of these pamphlets is appended by Mr. Ford to his paper. Professor J. F. Jameson contributes Plymouth letters of John Bridge and Emmanuel Altham to James Sherley, 1623 and 1624. In the December serial, under the title "The Weems Dispensation", Mr. Charles Francis Adams discourses upon Washington's military conduct in the Long Island campaign. An Indian deed for Nauset, 1666, is also printed, and the diary of Rev. Joseph Emerson, jr., for 1748-1749. The January issue contains a discussion of the maximum marching rates of infantry, by Mr. Charles Francis Adams; an account of the last blockade run of the *Sumter*, by one of its officers; certain remarkable political letters of Jonathan Russell to Henry Clay and John Quincy Adams in 1815; several papers relating to the trial of Anthony Burns; and a journal of a visit to the "western country" in 1845, by the late W. W. Greenough.

Professor Everett Kimball of Smith College has in press a book on *The Public Career of Joseph Dudley*.

The *Essex Institute Historical Collections* continues in the January number the list of prizes and recaptures (1813-1814) taken from the records of the vice-admiralty court at Halifax, Nova Scotia, and the Revolutionary orderly book of Captain Jeremiah Putnam of Danvers, Massachusetts, in the Rhode Island campaign, 1779.

The Macmillan Company have published *The Siege of Boston*, by Allen French.

The late Miss Gertrude S. Kimball left a manuscript on *Colonial Providence*, which will be published in elaborate form by the Houghton Mifflin Company.

Mr. Anson Phelps Stokes, jr., has prepared a descriptive list, chronologically arranged, of engraved views of New Haven, which he has brought out with the title *Historical Prints of New Haven, Connecticut, with special reference to Yale College and the Green*. A useful table of local dates is added.

The managing editor wishes to point out an important erratum on page 75 of his *Narratives of New Netherland*. The date of the sailing of the *Nieu Nederlandt* and the planting of the first colony in the province has long been held to have been 1623. This rests (hitherto) solely on a passage in Wassenauer. The editor was convinced by arguments of Mr. van Laer that the true meaning was 1624. The correction was sent to the printers of the book, but just failed to arrive in time. If the effect of this should be to help in perpetuating a wrong date for the founding of one of our thirteen colonies, the erratum may be worth mentioning in these pages.

The papers of the manor of Rensselaerswyck and of the Van Rensselaer family have been transferred by the family to the New York State Library under an agreement that provides for making this material available for the purposes of historical research. The collection contains about 200 volumes of documents, half of them in Dutch and belonging to the period prior to 1700, and about 25,000 papers relating for the most part to the administration of the manor for two hundred years. Beside family letters, land patents, deeds, maps, leases, etc., the collection includes proceedings of the court of the colony, resolutions of the commissioners, and letters of Arent van Curler, Peter Stuyvesant, and the first four English governors. The State Library has also secured a collection of papers of Dr. E. B. O'Callaghan, which includes 700 or 800 letters, chiefly of the period 1860-1880, and O'Callaghan's own papers dealing with Indian names, Jesuit relations, etc.

The state historian of New York announces for publication within the current year the *Minutes of the Committee of the City and County of Albany, 1775-1778*, in three volumes, to be completed by an analytical index; also the first volume of an analytical index to the eight printed volumes of the *Public Papers of Governor George Clinton*. A similar index to the *Minutes of the Executive Council of the Province of New York: Administration of Francis Lovelace, 1668 to 1673*, which was recently published in two volumes, will shortly be begun.

The *Report* of the director of the New York State Library for 1909 (issued in January, 1911) includes an account of the accessions to the manuscripts section and in particular a descriptive list of the "Van Rensselaer Bowier Manuscripts, series 2".

The *Historic Mohawk*, by Mary Riggs Diefendorf (Putnam, pp. xiv, 331), is not so much a connected narrative as a series of essays upon salient features of the valley's history, with a considerable number of hitherto unpublished documents.

Mrs. Mary McArthur Tuttle, widow of the late Professor Herbert Tuttle, has presented to the library of Cornell University the books on which his *History of Prussia* was mainly based.

Mr. Stan. V. Henkels contributes to the *Pennsylvania Magazine of*

History and Biography for October an interesting series of letters from Thomas Jefferson to William Wirt, 1805 to 1816, to which is given the caption "Jefferson's Recollections of Patrick Henry", but which embody recollections not directly connected with Henry's career. The *Magazine* prints also an autobiographical sketch of General John Burrows of Lycoming County, Pennsylvania, which, though written in 1837, embodies recollections of military events in the Revolution. The orderly book of General Muhlenberg (1777) is continued. In the department of "Notes and Queries" appear several letters of interest: General Sullivan to President Hancock, October 6, 1777; General Washington to General Smallwood, March 21, 1778; James McHenry to Elias Boudinot, July 2, 1778; Robert Morris to General Anthony Wayne, March 27, 1795; and William Findley to General William Irvine, March 30, 1798.

Mr. James Hadden of Uniontown, Pennsylvania, has issued a reprint of *The Monongahela of Old: or Historical Sketches of South-Western Pennsylvania to the Year 1800*, by James Veech.

The *Bulletin* of the Virginia State Library for October contains in 73 pages a valuable annotated bibliography of the conventions and constitutions of Virginia including references to essays, letters, and speeches in the Virginia newspapers and a variety of information.

The *Virginia Magazine of History and Biography* for January prints under its running caption "Miscellaneous Colonial Documents" a number of letters from Nathaniel Blakiston, agent for Maryland and Virginia, to the governor and council of Virginia, 1705 to 1709, and a letter from Philip Ludwell to Edward Jennings, 1709, in regard to a negro plot. The material from the Randolph manuscript relates to the years 1685-1686. Appearing in this issue are some items from the Sir William Johnson papers, among them the proceedings of a council of officers held at Fort Loudoun, March 30, 1758, to consider a proposal of peace affecting the Southern Indians. The Revolutionary army orders printed in this issue are of Wayne's light infantry corps, September to October, 1779. Mention may also be made of a diary of a journey to Ohio and Kentucky in 1805 by Henry Bartlett.

The *William and Mary College Quarterly Historical Magazine* for January prints part of an address by the editor upon "The Medical Men of Virginia", delivered in Richmond in May, 1910. Mr. Lewis Beckner contributes parts of a Caroline County survey book now found in Alexandria, Kentucky, and Mr. A. J. Morrison a note on "Mabinogion of the West". There is also a letter of John Tyler to the editor of the *Boston Times*, September 28, 1843.

Mr. D. R. Anderson of Richmond College, Richmond, Virginia, is collecting material for a life of William B. Giles, United States senator, 1804-1815, and governor of Virginia, 1827-1830, and would appreciate information concerning letters of Giles or other material bearing on his life.

J. P. McConnell is the author of a small volume entitled *Negroes and their Treatment in Virginia from 1865 to 1867* (Emory, Virginia, published by the author).

It is announced that Professor John W. Wayland, whose work *The German Element of the Shenandoah Valley* appeared a short while ago, has in preparation a *History of Rockingham County, Virginia*, which will be published by Ruebush-Elkins Company of Dayton, Virginia.

The "Third Biennial Report of the North Carolina Historical Commission", which is issued as Bulletin No. 9 of the commission's *Publications* and is in fact the report of the secretary of the commission, Mr. R. D. W. Connor, gives a detailed account of the work done by the commission during the past two years. Especial mention should be made of the descriptive memoranda of the contents of several collections of manuscripts in the custody of the commission, particularly the David L. Swain papers, the Charles E. Johnson collection, the papers of Zebulon Vance, the papers of Major-General Bryan Grimes, and the E. J. Hale collection, the latter emanating from the editorial office of the *Fayetteville Observer* and relating to the years 1832-1869. One-half of the report describes historical activities in North Carolina, 1909-1910.

The North Carolina Historical Commission has recently received about 1000 manuscripts of considerable interest. Among them are a number of letters and other documents relating to the mission, composed of Chief Justice Ellsworth, Governor William R. Davie, of North Carolina, and William Vans Murray, which President Adams sent to France in 1799 to settle the differences between France and the United States. They embrace letters of the Secretary of State, Timothy Pickering, Oliver Ellsworth, and notes and memoranda kept by the American ministers during the negotiations.

The general assembly of North Carolina, in its recent session, made an appropriation of \$250,000 for the erection of a fireproof building for the housing of the Historical Commission, the State Library, the Hall of History, and the Supreme Court and its library and records.

Dr. Stephen B. Weeks's index to the colonial and state records of North Carolina will, it is hoped, be ready for distribution some time during the present year.

Professor J. G. de Rouilhac Hamilton of the University of North Carolina is collecting material for a biography of Governor James Hamilton of South Carolina and would be grateful for letters, copies of letters, or information.

In the *South Carolina Historical and Genealogical Magazine* for October, 1910, Mr. H. A. M. Smith continues his series of articles on the baronies of South Carolina by one on Fairlawn. The January number adds one on the Cypress Barony. It also contains three letters of Rawlins Lowndes, 1778-1779.

The paper of chief historical value in the *Quarterly of the Texas State Historical Association* for January is "Apache Relations in Texas, 1718-1750", by W. E. Dunn, a paper based upon an extensive study of the sources. Mr. H. Y. Benedict contributes a biographical sketch of the late Professor Garrison, and Mr. A. W. Terrell a memorial address on Stephen F. Austin.

A Texas Pioneer: Early Staging and Overland Freighting Days on the Frontier of Texas and Mexico, by August Santleben, edited by I. D. Affleck (Washington, Neale, 1910, pp. 321), is replete with reminiscences of many sorts but possesses especial interest for its description of the conditions and methods of transportation on the Texan and Mexican frontiers from about 1865 to 1880, conditions and methods now obsolete. Some added chapters treat in particular of the colonizing project of Henry Castro about 1844.

Hood's Texas Brigade: its Marches, its Battles, its Achievements (Washington, Neale, pp. 347) is the work of Mr. J. B. Polley, a member of the brigade, who was selected as brigade historian by the organization of survivors and commissioned to write a "fair and impartial history" of the brigade. "The thread of it", says the author, "is spun almost entirely out of material furnished by the memories and diaries of himself and his comrades", as little documentary material relating to the services of the command has survived.

The *Ohio Archaeological and Historical Quarterly* publishes in its January issue the address of Professor Frederick J. Turner, "The Place of the Ohio Valley in American History", delivered before the Ohio Valley Historical Association at Frankfort in October, 1909. Mr. A. B. Stout contributes to this issue of the *Quarterly* a description of the pre-historic earthworks in Wisconsin, and Mr. Basil Meek an account of General Harmar's expedition against the Indians in 1790. Embraced in the article are the diary of General Harmar, September to November, 1790, Major Ferguson's report of the expedition, the statement of Ensign Britt, and the diary of Lieutenant Denny. Most of these documents are from the Draper manuscripts.

The *Quarterly Publication of the Historical and Philosophical Society of Ohio*, in the July-September number, presents reprints of John Cleves Symmes's circular "To the Respectable Public" issued from Trenton November 26, 1787, relative to the Miami purchase, and Symmes's letter to Elias Boudinot, January 12, 1792, relating to the disastrous expedition under St. Clair in 1791. The letter is printed from the original in possession of the society.

Mr. Logan Esary writes for the December issue of the *Indiana Quarterly Magazine of History* an account of the first Indiana banks.

The Illinois State Historical Library expects to publish in the course of the year 1911, three volumes of George Rogers Clark papers, edited

by Professor J. A. James. It has just issued vol VII. of its *Collections*, namely, *Governors' Letter-Books, 1840-1853* (pp. cxvii, 469), edited by Messrs. Evarts B. Greene and Charles M. Thompson.

The Chicago Historical Society has published as separate pamphlets *The Indian as a Diplomatic Factor in the History of the Old Northwest*, by Professor I. J. Cox, and *The Preamble and Boundary Clauses of the Illinois Constitution*, by Herman G. James.

Mr. Charles H. Conover has presented to the Chicago Historical Society his unrivalled collection of Lewis and Clark literature. The society has also acquired the manuscript autobiography of Gurdon S. Hubbard, and the log-book of the *Dunmore*, Captain Alexander Harrow, British armed schooner on the Lakes, 1791-1792. It intends to commemorate the Fort Dearborn massacre of August, 1812, by a volume of documents on Fort Dearborn, to be edited by Mr. Milo M. Quaife.

The *Proceedings* of the State Historical Society of Wisconsin for 1910 include, besides the usual annual reports, a number of historical papers. Professor B. F. Shambaugh discourses upon some general aspects of the history of the West and the pioneers; Professor Carl Russell Fish discusses the relation of archaeology and history; Mr. Gustave de Neveu a Menominee Indian payment in 1838; Mr. Andrew McFarland Davis relates his experiences as an engineer in making a preliminary railroad survey in Wisconsin in 1857; and Messrs. S. A. Sherman and C. C. Lincoln describe in separate articles the methods and experiences of lumber rafting in Wisconsin River. The society has in preparation a third volume of documentary material from the Draper manuscripts, designed as a continuation of *The Revolution on the Upper Ohio*, published three years ago. Embraced within the librarian's report are a report by Mr. Leo F. Stock upon his researches among the Federal archives for material relating to Wisconsin, a report by Dr. Louise P. Kellogg of similar investigations in the library of Mr. Clarence M. Burton of Detroit, and the report of the Committee of Seven on co-operation of historical departments and societies in the calendaring of material in France relating to the history of the Mississippi valley.

In commemoration of the centennial anniversary of its independence, the Mexican government has begun the publication, in sumptuous form, of the series of eighteen volumes of *Documentos Inéditos para la Historia de la Guerra de Independencia Mexicana* formerly described in advance in these pages (XIII. 710). They are edited by Señor Genaro García, and issued by the National Museum. Six volumes of this highly important collection have now appeared, in an order differing from that stated in our earlier note.

The Minnesota Historical Society issued in December a *Report* by the museum committee on the Kensington rune stone. The society has published an address delivered before it in February by Samuel G. Querson on *The Public Lands and School Fund of Minnesota*.

The leading article in the January number of the *Iowa Journal of History and Politics* is an essay by Clifford Powell entitled "The Contributions of Albert Miller Lea to the Literature of Iowa History". "Andersonville and the Trial of Henry Wirz" is by General John Howard Stibbs, who was a member of the court that tried Wirz.

Professor F. I. Herriott writes for the July-October issue of the *Annals of Iowa* an account of the Republican state convention which met in Des Moines in January, 1860, liberally quoting contemporary comments on the conclusions of the convention. Under the caption "Across the Plains in 1850" are printed the journal and letters of Jerome Dutton, written during an overland journey from Iowa to California.

Judge John F. Philips contributes to the October number of the *Missouri Historical Review* an article on "Hamilton Rowan Gamble and the Provisional Government of Missouri". In the same issue is printed a list of newspaper files in the library of the State Historical Society of Missouri.

The third volume of the *Publications* of the Arkansas Historical Association is expected soon to appear. It will contain a study of the constitutional convention of 1836, by Jesse Turner, and a history of the regulation of transportation in Arkansas, by Samuel W. Moore. Measures pending before the state legislature provide for the maintenance of the Arkansas History Commission, for the support of its publications, and for the control of archaeological remains by the commission.

Volume XI. of the *Collections of the Kansas State Historical Society* (Topeka, pp. xxii, 742) contains articles on the Swedish and German-Russian settlements, the Wyandotte constitution, etc.

Mr. T. C. Elliott contributes to the September issue of the *Quarterly of the Oregon Historical Society* a paper on "Peter Skene Ogden, Fur Trader". Professor F. G. Young's article on the financial history of Oregon relates to public expenditures.

Mr. Frederick V. Holman delivered before the Oregon Bar Association on November 15, 1910, an address in which he discussed certain amendments to the state constitution through the initiative and referendum and reviewed the course of court decisions relating to them. The address has been printed with the title *Some Instances of Unsatisfactory Results under Initiative Amendments of the Oregon Constitution* (Portland, 1910, pp. 46).

Mr. Irving B. Richman's *California under Spain and Mexico* will soon be published by the Houghton Mifflin Company.

By Ox Team to California: a Narrative of Crossing the Plains in 1860 (pp. xi, 139), by Lavinia Honeyman Porter, is published in an edition of fifty copies by the Oakland Enquirer Publishing Company, Oakland, California. The narrative is in large measure drawn from a journal kept by the author.

A Senator of the Fifties: David C. Broderick of California, by Jeremiah Lynch (San Francisco, A. M. Robertson), possesses its chief interest in the history which it gives of the early days in California, particularly of the vigilance committees. Broderick was a member of the constitutional convention of 1849, entered the Senate of the United States in 1857, and was killed in a duel by D. S. Terry in 1859.

The Adventures of James Capen Adams, Mountaineer and Grizzly Bear Hunter of California, by Theodore H. Hittell, was published in Boston and San Francisco in 1860 but has long been out of print. A new edition, which Charles Scribner's Sons have just issued, is identical in form and illustrations with the old, except that the author has furnished an introduction and a postscript. Although the book contains reflections that must be attributed to the writer rather than to the hunter these adventures give a good picture of the woodcraft of the region in the fifties and are interesting in themselves.

Recent accessions to the Canadian archives embrace, besides the Durham papers, Lady Durham's journal of 1838; Buller's account of the Durham mission; a body of copies of the letters written by various statesmen to Queen Victoria on Canadian affairs from 1837 to 1866; the Russian and the American correspondence of Sir Charles Bagot; the journals and letters of Charles Grey at the time of his mission to Washington, 1838-1839; ten additional volumes of Selkirk papers; and some two hundred original maps. Of transcripts, the Dominion archives have also acquired twelve books of the Hudson's Bay Company, 1693-1707; four volumes of Nova Scotia papers; two volumes of Shelburne manuscripts; and several volumes from the archives of Paris.

Mr. Hector Garneau, grandson of François Xavier Garneau, is preparing for publication a new edition of the latter's *Histoire du Canada* (first ed., 1845-1852, fourth, 1882-1883), of which the first volume will appear in the present year.

Heft 14 of Lamprecht's *Beiträge zur Kultur- und Universalgeschichte* is entitled *Beiträge zur Charakteristik der älteren Geschichtsschreiber über Spanisch-Amerika: Eine biographisch-bibliographische Skizze* (Leipzig, R. Voigtländer, 1911, pp. xii, 338).

Diaz: Master of Mexico, by James Creelman (New York, Appleton, pp. ix, 442), is an effort to co-ordinate the life of Diaz with the history of Mexico as a whole. The author has had many facilities for the performance of the task which he assumed, including access to the private memoirs of Diaz. The result is at least a picturesque view of Mexican history during three quarters of a century.

The Argentine Republic; its Physical Features, History, Fauna, Flora, Geology, Literature, and Commerce, by A. Stuart Pennington (London, Stanley Paul), contains a comprehensive history of Argentina, comprising about half the contents of the volume.

Noteworthy articles in periodicals: W. H. Holmes, *Some Problems of the American Race* (American Anthropologist, n. s., XII. 149-182); E. Vejera, *Cristóbal Colon, Genovés, no Judío-Gallego* (Ateneo, and Revista Bimestre Cubana, July-October); G. B. Hertz, *Bishop Seabury* (English Historical Review, January); B. W. Bond, jr., *A Colonial Side-light* (Sewanee Review, January); W. C. Ford, *Washington at the Crisis of the Revolutionary War* (Century, March); Mrs. J. Van Vorst, *American Society in 1783 as seen by two French Noblemen* (Lippincott's, February); H. E. Hoagland, *Early Transportation on the Mississippi* (Journal of Political Economy, February); H. F. Griffin, *The Gerry-mander* (Outlook, February); C. O. Paullin, *Early Voyages of American Naval Vessels to the Orient*, IX. (United States Naval Institute Proceedings, December); E. V. O'Hara, *Francis Norbert Blanchet, the Apostle of Oregon* (Catholic University Bulletin, December); J. S. Bassett, *James Knox Polk, President* (South Atlantic Quarterly, January); C. W. Moores, *The Career of a Country Lawyer: Abraham Lincoln* (American Law Review, November-December, January-February); General Nelson A. Miles, *The Last Days of Rebellion* (Cosmopolitan, March); P. A. Bruce, *The National Spirit of General Lee* (South Atlantic Quarterly, January); Gamaliel Bradford, *Lee and the Confederate Government* (Atlantic Monthly, February); A. R. H. Ranson, *General Lee as I knew him* (Harper's, February); G. H. Putnam, *The Civil War Fifty Years After* (Review of Reviews, March); W. P. Few, *The College in Southern Development* (South Atlantic Quarterly, January); H. J. Ford, *The Cause of Political Corruption* (Scribner's, January); Frederick McCormick, *How America got into China* (Century, January); Mrs. Burton Harrison, *Recollections Grave and Gay* (Scribner's, March); Hector Garneau, *François Xavier Garneau* (Bulletin du Parler Français au Canada, February); Abbé A. Gosselin, *La Mission au Canada avant Mgr. de Lalor* (Revue Catholique de Normandie, 1909); L.-A. Prud'homme, *Les Compagnies de la Baie d'Hudson et du Nord-Ouest*, cont. (La Nouvelle France, January); P. Miguélez, *La Independencia de México*, VI., VII. (La Ciudad de Dios, January 5, 20).